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PRINCE CHARLES

AND

THE SPANISH MARRIAGE.

1617—1623.

VOL. I.

In 2 vols. 8vo, 30s., bound.

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FROM THE ACCESSION OF JAMES I. TO THE DISGRACE OF CHIEF JUSTICE COKE.

By SAMUEL RAWSON GARDINER,

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HURST AND BLACKETT, PUBLISHERS, 13, GREAT MARLBOROUGH ST.

PRINCE CHARLES

AND

THE SPANISH MARRIAGE:

1617—1623.

A CHAPTER OF ENGLISH HISTORY,

FOUNDED PRINCIPALLY UPON UNPUBLISHED DOCUMENTS
IN THIS COUNTRY, AND IN THE ARCHIVES OF
SIMANCAS, VENICE, AND BRUSSELS.

BY

SAMUEL RAWSON GARDINER,

AUTHOR OF THE "HISTORY OF ENGLAND FROM THE ACCESSION OF JAMES I. TO THE DISGRACE OF CHIEF JUSTICE COKE."

IN TWO VOLUMES.

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PREFACE.

THE wooing of princes is not in itself more worthy of a place in history than the wooing of ordinary men; and there is certainly nothing in Charles's own character which would lead us to make any exception in his favour. But the Spanish alliance, of which the hand of the Infanta was to have been the symbol and the pledge, was a great event in our history, though chiefly on account of the consequences which resulted from it indirectly. When the marriage was first agitated, the leading minds of the age were tending in a direction adverse to Puritanism, and were casting about in search of some system of belief which should soften down the asperities which were the sad legacy of the last generation. When it was finally broken off, the leading minds of the age were tending in a precisely opposite direction, and that period of our history commenced which led up to the anti-episcopalian fervour of the Long Parliament, to the Puritan monarchy of Cromwell, and in general to the re-invigoration of that which Mr. Matthew Arnold has called the Hebrew element in our civilisation.

If, therefore, the causes of moral changes form the most interesting subject of historical investigation, the events of these seven years can yield in interest to but few periods of our history. In the miserable catalogue of errors and of crimes it is easy to detect the origin of that repulsion which moulded the intellectual conceptions, as well as the political action, of the rising gene-

ration. Few blunders have been greater than that which has made the popular knowledge of the Stuart reigns commence with the accession of Charles I., and which would lay down the law upon the actions of the King whilst knowing nothing of the Prince.

It is true, indeed, that there are some episodes in this period which have been frequently handled by writers of ability and research, and that the stories of Raleigh's last days, of Bacon's disgrace, and of the journey of Charles and Buckingham to Madrid, are familiar to us from repeated narration. But even if I had not been fortunate enough to discover materials by which these narratives may be amplified and corrected, it would be worth while to see how the old evidence would look when it was regarded in connection with other facts relating to the less known parts of the history. A biographer, or a writer of a special narrative, can indeed throw a brilliant light upon the particular object of his study; but unless he is animated by a certain heroical virtue, he will not investigate matters which have no direct connection with his subject. And yet, how is it possible, for instance, for anyone to write fairly about the Spanish marriage treaty, if he is in ignorance of the Spanish policy with respect to the Palatinate, or to judge fairly of Bacon's moral position at the time of his fall, if he is ignorant of the true history of his connection with the monopolies?

It was at a very early point in my researches that I discovered that the period which I had selected demanded a very different kind of study from that which I had thought sufficient for my former work. In examining the evidence upon which my narrative of the first thirteen years of James's reign might be constructed, I felt that I was treading upon exclusively English ground. Here and there, perhaps, I might have found additional light in the despatches of foreign ambassadors; but I do not suppose that, if I had been able at the time to consult

them, the story would have been materially affected. The interest of the period, such as it was, turned upon constitutional questions of purely English interest. With the seven years which follow all this is changed. Every English interest rapidly becomes a continental one, and it can only produce confusion to attempt to unravel the politics of England without understanding the intentions of continental statesmen and the aims of continental diplomatists. The point, for instance, which caused the breach between James and the Parliament of 1621 was the question of the part which it was fit for England to take in the war in Germany; and it is manifestly impossible to render justice to either side of the dispute, unless we know more about the nature of that war than is to be found in the pages of writers who are content to re-echo, without inquiry, the speeches of the English popular leaders or the declarations of one of the two contending parties in the Empire.

Our information about Spain is even more defective. What was the part really taken by the Spanish Government in the outbreak of the Thirty Years' War, and what was its object in the attempt to fetter England by the offer of the hand of the Infanta, are questions of which, as far as I know, no serious solution has yet been attempted. Even Gondomar, often as he is mentioned by our historians, is a mere "nominis umbra," round which a few apocryphal stories still cling. But to realise the man and his work from any source in England, published or unpublished, is a sheer impossibility.

My first attention, therefore, was directed to Simancas. Amongst the mass of despatches, and documents of various kinds there preserved, Gondomar's own letters stand out conspicuously with a kind of monumental rigidity; and it was not long before I began to understand what were the powers of mind which had cast such a spell upon the great Ambassador's contemporaries, and to

wonder how unlike the man was to anything that tradition has represented him to be. Of Court gossip or scandal there is no trace in these despatches. They are plain business-like compositions, sticking close to the point, and giving what information is needed on the business in hand, with that conciseness which was likely to result from the knowledge that they would be submitted, not to the ear of a monarch in his hours of idleness, but to the critical judgment of the members of one or other of the Councils which managed the affairs of that department to which they happened to refer.

By the help of these letters and the accompanying consultas, or opinions delivered in Council, I have been able to trace out, for the first time, the course of this long negotiation, I hope with tolerable accuracy. There are, however, some gaps, and it was only when it was too late, that I learned from Don Pascual de Gayangos thatt hey might probably be filled up from the MSS. in his collection at Madrid.

Fortunately, however, the want is in some measure supplied by the MS. narrative of Fray Francisco de Jesus, of which a copy has lain for some years unnoticed in the British Museum (Add. MSS. 14,043). This man, a Carmelite friar, was himself engaged in the theological debates on the marriage treaty, and was in possession of official documents, from which he drew up the story of the negotiation from beginning to end. His substantial accuracy, wherever I have been able to compare his statements with the original papers from Simancas, gives me great confidence in his unsupported assertions.

But, however accurate a party writer may be, it is hopeless to expect from him the whole truth; and happily those secrets, which neither Gondomar nor Fray Francisco cared to disclose, are revealed by the despatches of the Venetian Ambassadors preserved in the Archives of Venice. All through this period there is

much to be learned, both from the despatches and from the published *Relazioni*, of the Venetian Ambassadors in England. But the crowning glory of their revelations is to be found in the passages in which Zen and Soranzo relate the secret intelligence which they had received from Cardinal Ludovisi, and in which Corner reports the result of his conversations with the Papal Nuncio, De Massimi. By this means we are admitted behind the scenes, and discover secrets for which we should search in vain amongst the staid records of the Spanish Council of State.

It is impossible for me to quit the subject of the Venetian Archives without recording my warmest gratitude for the kindness of Mr. Rawdon Brown, who, though I came to him without any introduction whatever, facilitated my inquiries in every conceivable way, and especially by allowing me to make use, at his house, of his copies of despatches at hours when the Archives were closed.

Very different from the interest of the Venetian MSS. is that which attaches itself to the Archives of Brussels. It is true that the papers in it rarely touch directly upon English affairs, and that it is only now and then that such a flash of light appears as that which revealed to me the plot conceived by James and Buckingham in 1620 for the invasion and partition of the soil of the Dutch Republic; but they throw strong light upon continental affairs, at a time when a correct appreciation of continental affairs is indispensable to the knowledge of the true bearing of English politics. In Germany, especially, much has been done of late to throw light upon this period, but the writers who have drawn new facts from the various repositories of their respective States, have often shown signs either of a narrow patriotism which tempts them to explain facts in the interests of the ancestors of their respective sovereigns, or of that reli-

gious partisanship which can see nothing good outside its own creed. To investigate the numerous archives of Germany thoroughly would be the work of many life-times, and it is therefore fortunate for an inquirer whose time is limited to be able to acquire some independent knowledge of the men with whose actions those writers are concerned. Such knowledge is to be gained most easily at Brussels, from the correspondence of the Arch-dukes with the Kings of Spain on the one hand, and with the Emperor Ferdinand II. and Maximilian of Bavaria on the other. In communications such as these, neces-sarily of the most confidential nature, the thoughts and designs of the leaders of the Catholic party stand re-vealed, thus enabling the student to apply some sort of test to the assertions of modern authors.

A similar source for the projects of the Elector Pala-tine and his party will be found in various published col-lections of letters, especially in the capacious volumes of Londorp, and still more in the despatches of the English Ambassadors preserved in our own Record Office. Such letters as those of Nethersole, for instance, lay before us the ideas prevalent at Frederick's Court far better than any more laboured documents.

The despatches of Caron, the Dutch Ambassador, are, fortunately, in transcript, in the British Museum. They throw much light on the passing events of the day, and are especially valuable, as giving the Dutch side of the discussion which ended in the treaty upon the East India trade, signed in 1619.

Curiously enough, the only one amongst the foreign ambassadors in London during this period, of whose despatches any use has hitherto been made, is incom-parably the most valueless. Tillières, extracts from whose letters were published by Raumer in his "Briefe aus Paris," had absolutely nothing to do in England, except to listen to what gossip and scandal was floating

about, and he availed himself of his opportunities with particular good will, whenever the scandal was of a nature to affect the character of a King who had the bad taste to prefer Gondomar's society to his own. In the Imperial Library at Paris, I was able to glean a few passages which had been omitted by Raumer, and which contained a few new facts. But if he is to be quoted as an authority in future, I hope that care will be taken at least to distinguish the evidence which he gives upon hearsay from that for which he vouches his own personal knowledge.

Next to the Ambassadors comes Salvetti, the agent of the Grand Duke of Tuscany, whose chief business was to write a news-letter once a week, in which he set down, for the entertainment of his employer, everything worthy of note which passed around him in public life. Transcripts of the series (Add. MSS. 27,962), which commences in 1616, have fortunately been recently acquired by the British Museum. It is second—if second—in interest only to the Chamberlain letters, as a chronicle of the passing events of the day.

It is unnecessary to speak at length of the sources of information on home affairs. The collections in the Record Office and the Museum are too well known to need remark. But I cannot leave unmentioned the quarters from which I have been enabled to obtain information which has not hitherto been made use of by inquirers.

It will be seen that the East India disputes played an important part in general history, by prejudicing James's mind against the Dutch. The East India Papers in the Record Office, however, are very scanty; and it was with great satisfaction that I learned that the Court Minutes and the Original Correspondence of the East India Company were in the hands of Mr. Sainsbury, in order that they might be made in part the foundation of

his Calendar of East India Papers. My application to the India Office for permission to make use of them was at once granted; and to all who know Mr. Sainsbury, I need hardly say that the information which he had acquired, together with the unpublished draft of his Calendar, so far as it went, was at once placed at my disposal.

Much information, it will also be seen, has been gleaned from the Patent Rolls, and other official papers, which throw a remarkable light on the history of those monopolies which have so important a bearing upon Bacon's life. Nor have my researches amongst the Order Books of Chancery been fruitless, as I have succeeded in discovering much which may enable us to have a better knowledge of the cases in which corruption was subsequently alleged against the Chancellor. Here, however, I should probably have frequently gone astray, but for the kind assistance of Mr. Cecil Monro, the late Registrar of the Court of Chancery, whose explanations of technical terms often enabled me to understand the true meaning of documents which might otherwise be easily misunderstood.

Within the last few months the close of Bacon's public career has received illustration from a new and unexpected source. Several volumes of official MS. notes of debates in the House of Lords during the last two Parliaments of James and the first three Parliaments of Charles, were discovered at Crowcombe Court, near Taunton, the seat of Colonel Carew. They were placed for examination in the hands of Mr. Bruce, and proved to be written by Henry Elsing, and to be of the most valuable character, containing full notes of debates in the House of Lords, of which nothing has hitherto been known except from some passing reference in a contemporary letter. The debates which led to Bacon's sentence are of particular interest; and I have to express my great obligations to Colonel Carew for having, at Mr.

Bruce's instance, given me permission to make use of these books, which will be referred to as Elsing's Notes.

Whilst I am upon the subject of this Parliament, I may say that the well-known report of the debates of the Lower House, printed at Oxford in 1766, is proved by comparison with a fragment amongst the State Papers (Dom. cxxv.), to have come from the pen of Edward Nicholas. As, however, this fact has not hitherto been known, I have referred to the volumes simply as *Proceedings and Debates.*

By the kind permission of Sir John Lefevre, and with the helpful assistance of Mr. Thoms, I was allowed to make use of the MSS. of the House of Lords relating to the Session of 1621, with a result which threw considerable light upon the monopolies which were at that time condemned.

An application to Mr. Digby of Sherborne Castle for leave to examine any papers which might have come down to him from the first Earl of Bristol, was most generously acceeded to. Not only was I permitted to see and copy whatever I pleased, but I was allowed to bring the documents with me to London, where they were lent to the Master of the Rolls, in order that copies might be taken of them, to be placed in the Public Record Office. If the other possessors of important historical MSS. should follow in Mr. Digby's steps, the thanks of all students of history will be justly due to him for setting so admirable an example.

The papers thus laid open are perhaps not so numerous as I had hoped for. But some of them are of considerable interest, especially the instructions relating to the Netherlands in 1623, the account, by Bristol himself, of his last interview with Olivares, and the interrogatories administered by him to Endymion Porter after his return.

In the preface to my former work, I spoke of the untrustworthy character of such writers as Weldon. It happens that twice in the following pages, in the case of the story of the quarrel between Arundel and Spencer (vol. ii. p. 7), and in the case of the well-known story of "Here be twal' kings coming" (vol. ii. p. 140), I have been able to restore the narrative to its original form, and thus to demonstrate the fictitious nature of the anecdote by which its place has been usurped in our histories. To the list of writers whom it is impossible to use with confidence, must, I am afraid, be added that agreeable letter-writer, Howell. But there can be no doubt that many of his letters are mere products of the bookmaker's skill, drawn up from memory long afterwards. Take, for instance, the letter marked as No. 12, in Book I. sect. 2, and said to be written on the 19th of March, 1622. In this the writer states as the news of the day, that the Elector Palatine had arrived in Holland from Prague, an event which took place in April, 1621; that "the old Duke of Bavaria's uncle," whatever that may mean, had been "chosen Elector," an event which apparently refers to the transference of the Electorate in February, 1623; that Mansfeld "begins to get a great name in Germany," having, with the Duke of Brunswick, a considerable army on foot for the Lady Elizabeth, a description which would be true of the state of things at the end of 1621 and the beginning of 1622; that Chichester had returned from the Palatinate, an event which took place in 1622; and that Buckingham had been made Lord High Admiral, an event which took place in 1619. On the other hand, some of the letters have all the look of being what they purport to be, actually written at the time. But even then, the dates at the end are frequently incorrectly given.

It will be seen that the mass of hitherto unused materials at my disposal has been very large. Yet this

very abundance of information is not without its drawbacks. It has necessitated my going at greater length into many matters than would have been sufficient if I had been traversing a better known period, where a hint would have been enough to call up a more or less complete picture before the reader. It has also made it altogether impossible to lay before inquirers the evidence upon which many of my conclusions are based; as to do so in sufficient fulness to be of any real use would be to lengthen out these volumes interminably. Yet there is nothing which I more regret than to have to refer inquirers from whose criticisms I might hope to profit, to distant archives; and it is therefore that I feel myself under great obligations to the Camden Society, which has allowed me to publish in their series two volumes containing the principal letters and despatches relating to the relations between England and Germany from the outbreak of the Revolution in Bohemia to the return of Gondomar to England in March, 1620,—thus enabling me to appeal to the original documents, at least for a part of my narrative. The Members of the Society will soon have in their hands the important work of Francisco de Jesus; and the Debates in the House of Lords in 1621, from Elsing's Notes, will, I hope, follow without long delay. On all points relating to copies of unpublished MSS. in my possession, I shall always be ready to give every information in my power.

On looking over the first two or three pages of Chapter XII., I am afraid that I have been led too far by a desire to reconcile discrepant authorities. Charles certainly knew of the main points of the four articles some weeks before, and it is most probable that they were formally accepted by him at the same time with the rest of the treaty. In this case, Khevenhüller's story, if it is true at all, must refer to an earlier time. But of

the change in Olivares' tactics in consequence of Charles's acceptance of all his demands, there can be no doubt; and this is the really important point.

I have only to add that all dates in the text are given in the old style. There is some inconvenience in thus applying to well-known events upon the Continent dates differing from those which are to be found in the pages of foreign writers, but it is far less than that which would ensue from the adoption of a different chronology, in speaking of continental affairs, from that which is necessarily made use of in speaking of occurrences in England. The use of the double date is of course more correct, but it is hardly suited to a narrative not specially designed for scholars. In all cases, I need hardly say, I have calculated the year as beginning on the 1st of January.

S. R. G.

22, Gordon Street,
February 19, 1869.

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ERRATA.

Vol. i. page 60, line 17, *for* "they said," *read* "Scarnafissi reported to his master."
,, ,, 364, line 14, *for* "Furatta," *read* "Turatta."
Vol. ii. ,, 173, line 12, *for* "Mathews," *read* "Matthew."

PRINCE CHARLES

AND

THE SPANISH MARRIAGE.

CHAPTER I.

THE SPANISH ALLIANCE.

The constitutional struggle.

THE first years of the reign of James I. had been mainly occupied with the constitutional struggle between the King and the House of Commons. When, in the opening of 1617, the fourteenth anniversary of his accession was approaching, it seemed as if all questions at issue had been permanently settled in favour of the Crown. Even in the midst of the gravest financial difficulties, the representatives of the people had been unable to force upon their Sovereign a policy of which he disapproved. Impositions which had never been granted by Parliament were still collected at the ports. Every country gentleman knew that, unless he were still alive when his heir completed his twenty-first year, his death would be the signal for the legalised plunder of his estate by the officials of the Court of Wards. Two Parliaments had been successively dissolved with every mark of the Royal displeasure; and, in the second instance, the leaders of the Commons had, in defiance of the privileges which they claimed, been thrown into prison for words spoken in their places in the House. The Judges had been taught by the misfortune which had befallen their stoutest champion that they would not be permitted to assume an independent position. It is true

CH. I. 1617.

that there had been no open and undisguised attack upon the rights of the nation as those rights were understood at the beginning of the seventeenth century. But practically there had been a great change. Theories and precedents which made in favour of the prerogative had been strained further than Elizabeth would have cared to strain them, and the countervailing checks to which the great Queen had gracefully submitted had been allowed to drop out of sight.

Quiet times.

And yet, though dissatisfaction undoubtedly prevailed amongst a large and influential section of the community, it had nowhere ripened into open discontent. England was growing in wealth and prosperity; and, in the midst of increasing riches, it was hard to bring men to meditate deeply on intricate constitutional questions by which their immediate interests were scarcely, if at all, affected. The owners of the soil were talking about the rise of rents, and about the relative value of land under corn, and of land under sheep. The city merchant was busily calculating the advantage of sending English dyed cloth to the Continent, or was deploring the amount of bullion which, to the impoverishment of the realm, was being carried away by the ships of the East India Company to be exchanged for the useless spices of the East. The letter-writers who retailed, for the benefit of their correspondents, the gossip which they had picked up in the antechambers of Whitehall, had nothing better with which to fill their budgets than the latest scandal which affected the honour of some lady of fashion, or the integrity of some high officer of state.

Rise of questions of foreign policy.

In the course of the remaining years of James's life all this was to be changed. Yet it was not by fresh aggressions upon the rights and liberties of his subjects that the nation was roused from its apathy. Questions of domestic interest, no doubt, arose, and some of them were questions of no ordinary importance. But all such matters were thrown into the background by the increasing prominence of questions of foreign policy. A great war broke out on the Continent:—a war in which Englishmen, with almost entire unanimity, deemed it incumbent on them to interfere. Partly from a confused

sense of duty, partly from a sincere love of peace, and partly from mere poverty of spirit, James vacillated and hung back. Unwise and improvident action alternated with action, if possible, more unwise and improvident still. Every post from the Continent brought the news of some fresh disaster. At last the heart of the nation was stirred to its depths. A cry rose, swelling in loudness from day to day, that the honour of England was not safe in the hands of such a King. Men who cared little for ordinary politics were roused to a pitch of excitement which boded no good to the monarchy. Even the most unthinking were stung to the quick when they were told that Spaniards and Bavarians were trampling down the vineyards and massacring the villagers on the banks of the Rhine; that Protestant churches were closed, and Protestant citizens driven into exile, whilst the King of England, who dared not strike one blow for the inheritance of his daughter's children, was dallying with the oppressors of the people and the Church of God.

Intrigues of James with Spain.

These things were yet in the future. But even now, if the nation had been allowed to penetrate the veil which James had hung over his dealings with Spain, it would have shuddered with horror at the depth of infamy to which its Sovereign had already descended. That veil has remained unlifted till the present day, and it is only now that it has become possible to give anything like an accurate account of the early stages of a negotiation upon which, a few years later, the attention of the whole civilised world was fixed.

1598. The Spanish monarchy at the death of Philip II.

If Philip II. had been able to carry out his schemes, he would have re-established the old religion by the prowess of the Spanish armies, and by the intrigues of which he held the thread as he sat at his desk at the Escurial. The Pope would once more have been looked up to as the head of an undivided church. By his side would have stood, in all the prominence of conscious superiority, the King of Spain, realising in his person all, and more than all that, in the middle ages, had been ascribed by jurists and statesmen to the chief of the Holy Roman Empire, the lay pillar of the edifice of Catholic unity. Kings would have existed only by his sufferance.

CH. I. 1598.

Political independence and religious independence would have been stifled on every side. At last, perhaps, the symbol would have followed the reality, and the Imperial Crown would have rested on the brows of the true heir of the House of Austria, the champion of the Church, the master of the treasures of the West, the captain of armies whose serried ranks and unbroken discipline would have driven in headlong rout the feudal chivalry which in bygone centuries had followed the Othos and the Fredericks through the passes of the Alps.

Failure of his schemes.

This magnificent scheme had broken down completely. The long struggle of the sixteenth century had only served to consolidate the power of the national dynasties. The signature of the Peace of Vervins was the last act of Philip II., and in accepting the treaty of London and the truce of Antwerp, Philip III. was only setting his seal to his father's acknowledgment of failure.

Spain still regarded with suspicion.

It was impossible that the memory of such a conflict could be blotted out in a day. That Spain had never really withdrawn her pretensions to universal monarchy, and that she had merely allowed herself a breathing time in order to recruit her strength for the renewal of the struggle, was the creed of thousands even in Catholic France, and was held with peculiar tenacity by the populations of the Protestant Netherlands, and of Protestant England. For many years every petty aggression on the part of Spain would be regarded as forming part of a preconcerted plan for a general attack upon the independence of Europe.

Renunciation of direct aggrandisement by Spain.

It was only by the most scrupulous respect for the rights of other nations, and by a complete abstinence from all meddling with their domestic affairs, that the Spanish government could hope to allay the suspicion of which it was the object. Unhappily there was but little probability of such a thorough change of policy. It is true that, under the guidance of Lerma, Philip III., a prince whose bigotry was only equalled by his listlessness and inefficiency, had definitely renounced all intention of extending his own dominions or of establishing puppet sovereigns at London or at Paris. It is also true, that now that there was no longer to be found

in Europe any considerable body of Catholics who were the subjects of a Protestant sovereign, the policy of stirring up disaffection in the Protestant states was of necessity relinquished. But the old theories were still dear to the heart of every Spaniard. Philip III. was still the Catholic King, the pillar of the Church, the protector of the faithful. Even Lerma, desirous as he was of maintaining a peace which alone made it possible for him to stave off a national bankruptcy, and to fill his own pockets with the plunder of the state, could not wholly abandon the traditional principles of his nation. If the doctrines of the advocates of tyrannicide were suffered gradually to drop out of sight, it was only because it seemed likely that the triumph of the Church might be secured more easily in another way. The Spanish statesmen, if statesmen they can be called, saw that the opposition to the aggressions of Spain had everywhere given rise to strong national governments, and they fell into the mistake of supposing that the national governments were everything, and that the national spirit by which they were supported was nothing. Of the strength of Protestantism they were utterly and hopelessly ignorant. They supposed it to be a mere congeries of erroneous and absurd opinions, which had been introduced by the princes for the gratification of their own selfish passions, and they never doubted that it would fall to pieces from its own inherent weakness as soon as the support of the princes was withdrawn.

The governments to be gained over.

The Spanish government, therefore, was no longer to irritate the neighbouring sovereigns by cultivating relations with their discontented subjects. It would gain their ear by acts of courtesy, and would offer to support them against domestic opposition. Above all, in Protestant countries, no stone should be left unturned to induce the heretic king to seek repose in the bosom of the Church of Rome. It was by such means as these that sober men seriously hoped to undo the work of Luther and of Elizabeth, and, accomplishing in peace what Philip II. had failed to bring to pass by force of arms, to lay the hitherto reluctant populations of Northern Europe as an offering at the feet of the successor of St. Peter.

CH. I.

1604.

Offer of the Infanta Anne to Prince Henry.

In his first attempt to carry out the new policy, Lerma betrayed by his rashness and precipitancy that he was handling a weapon with which he was as yet unfamiliar. With a truly Spanish belief in the unapproachable greatness of his country, it never occurred to him that it was possible to put too high a price upon the hand of his master's daughter. Immediately after the signature of the treaty of London, the Count of Villa Mediana, the resident ambassador in England, received instructions to propose to James a marriage between Prince Henry and the eldest daughter of the King of Spain, the Infanta Anne. At that time no Prince of the Asturias had been born, and it was therefore not impossible that the future husband of the little girl at the Escurial might be honoured with the crown matrimonial of Spain. James was therefore to be told that, in order that his son might be sure of winning the affections of his future subjects, he must not only be educated as a Catholic, but must actually be sent to Madrid to be brought up under the eye of Philip.* Most probably Villa Mediana never ventured to make this extraordinary proposal. At all events, the negotiation dragged slowly on without any reference to such a scheme being traceable. In the winter of 1607, possibly as a result of the King's quarrel with the Commons about the Scottish Union, the marriage was again talked of. But it was only after the utter failure of the Great Contract, in 1610, that the question was seriously opened. As soon as the dissolution of Parliament made it evident that there were no visible means of filling the empty exchequer, there were those who looked to a league with the continental Protestants, and an open war with Spain, as the best means of reconciling the King with his subjects, and of supplying the deficiencies of the Crown. Other counsels prevailed, and James, for the first time in his reign, deliberately turned to a foreign sovereign for aid in his difficulties with his own subjects. Digby was ordered to carry to Madrid a formal proposal for the

1611.

The negotiation broken off.

* Notes left by the Constable of Castile with the Count of Villa Mediana, Sept. $\frac{2}{12}$, 1604. *Simancas MSS.* Est. 841.—*Francisco de Jesus*, 1.

hand of the Infanta. He was told that it was already promised to the young King of France. It was added that her younger sister, the Infanta Maria, was at the Prince's service, if only matters of religion could be accommodated. To an enquiry as to the meaning of these words, Lerma coolly answered that they meant nothing less than the conversion of the Prince. As soon as this answer was reported in England, James indignantly broke off the negotiation.

1611

1612.

Alliance of James with the Protestant powers.

The immediate result of the breach with Spain was an increase of the intercourse between James and the Protestant powers. The Lady Elizabeth was given to the Elector Palatine, and overtures were made for a marriage between Prince Henry and the Princess Christina of France, a marriage which was looked upon with disfavour by the stricter Protestants, but which was welcome to those who, like Raleigh, gave more weight to their political abhorrence of Spain than to their theological disagreement with Rome. After Prince Henry's death the negotiations were continued on behalf of his brother, and at the close of 1612, it seemed to those whose observation did not look far beneath the surface, as if James was about to take up the broken threads of the policy of Elizabeth, and to place himself at the head of the anti-Spanish party in Europe. So far had matters gone, that in the spring of the following year the English privy council were calling out the musters, and were ordering the beacons to be in readiness in expectation of a Spanish invasion; whilst Philip's ambassador in London was writing home to warn his master that, in all probability, it would not be long before James declared war against Spain.

1613. Possibility of war with Spain.

Such a war would no doubt have been popular in England; and in the council, since Salisbury's death,*

* The Simancas papers leave the story of Salisbury's connection with Spain pretty much where I left it in my former volumes. He was one of the earliest and largest recipients of Spanish gold. But from the very first the Spanish ambassadors speak of him as being opposed to them and their designs. At the end of 1607, however, he offered to serve Spain more faithfully, and showed the ambassador certain papers connected with the negotiations in the Low Countries. But shortly after this he is again found in opposition to Spain, and this continues till his death. On the whole, I am disposed to adhere to my former opinion, that he took the pension with the design of making use of the intercourse into which he would be brought

CH. I. 1613.

it would have had the eager support of Ellesmere and of Abbot. But there was too much of the old buccaneering spirit in the cry for war to enlist our sympathies in favour of those from whom it proceeded,* and it is undeniable that James's strong feeling against a war commenced for purposes of plunder, or for the sake of gratifying sectarian animosity, was of the greatest service to the nation.

James inclined to peace.

In point of fact, whatever may have been the errors of which James was guilty, there can be no doubt that the dominant idea of his foreign policy was true and just. "Blessed are the peace-makers," was the motto which he had chosen for himself, and from the day of his accession to the English throne he strove, not always wisely, but always persistently, to maintain the peace of Europe. His abhorrence of violence and aggression was the most honourable side of his character. It might be doubted whether he would not stand in need of more than this to steer his way through the storms which were even then muttering in the distance, but for the present, at least, he was in the right path. He had expressly assured the German Protestants that his assistance was only to be reckoned upon if they abstained from all aggression. If he had done no more than to desire to live in friendship with Spain, and to gain such influence over the Spanish

with the Spanish ambassador. His sudden fervour, in 1607, is accounted for by the ambassador as the result of the increasing probability of the marriage taking place, which made him anxious to secure the support of that government, which would be all-powerful in a few years. He arranged that all payments and all confidential communications should pass through the hands of Lady Suffolk.

* Lord Hay, who was present at the scene he described, told Sarmiento that "un dia, hecha ya la liga de los Protestantes de Alemaña y Francia con este Rey, el Principe muerto y el Salberi le apretáron para que rompiese la guerra con V. Mag^{d}., dandole para esto algunas trazas y razones de conveniencia, y el Salberi concluya la platica con que, rota la guerra, ó este Rey seria Señor de las Indias ó de las flotas que fuesen y viniesen, y que por lo menos no podria ninguna entrar ni salir de Sevilla sin pelear con la armada Inglesa : y que lo que se aventurará á ganar era mucho, y á perder no nada." The king replied that, as a Christian, he could not break the treaty. Salisbury said it had already been broken by Spain a hundred times. James said that might justify a defensive, but not an offensive war. Salisbury's reply was, that if he made everything a matter of conscience, he had better go to his bishops for advice, which made James very angry. Hay added, that from that day Salisbury began to fall into disgrace, and that Prince Henry began to speak of his father with disrespect.—Sarmiento to Philip III., Nov. $\frac{6}{16}$, 1613. *Simancas MSS.* Est. 2590.

government as would enable him to preserve peace upon the Continent, he would have deserved the thanks of posterity, even if he had seemed craven and pusillanimous to his own generation.

As is also the Spanish government.

From necessity rather than from any real change of principle, the wishes of Lerma corresponded with those of James. The dilapidation of the Spanish finances, and the depopulation of the Spanish territory, made all prudent Spaniards shrink from war, not because they feared defeat, but because they dreaded expense. Even the gold of Mexico and Peru was insufficient to meet the wants of a monarchy from which the dead weight of political and ecclesiastical absolutism had long ago pressed out the vigour which freedom alone can give. Alarmed by the rumours of war which reached him from London, Lerma recalled the Spanish ambassador from his post, in order that he might replace him by a man of more conspicuous ability, who might perhaps be able, whilst yet there was time, to stave off the threatened hostilities.

Sarmiento sent ambassador to England.

The man who was selected for the purpose was Diego Sarmiento de Acuña, so well known to all succeeding generations of Englishmen by his later title, as the Count of Gondomar. For the service upon which he was sent it would have been impossible to find a fitter person. It is true that it would be absurd to speak of Sarmiento as a man of genius, or even as a deep and far-sighted politician. He was altogether deficient in the essential element of permanent success—the power of seeing things of pre-eminent importance as they really are. During his long residence amongst the English people, and with his unrivalled opportunities for studying their character, he never could comprehend for a moment that English Protestantism had any deeper root than in the personal predilections of the King. But if the idea of converting the English nation by means of a court intrigue had ever been anything more than an utter delusion, Sarmiento would have been the man to carry it into execution. For he cherished in his heart that unbending conviction of the justice of his cause, without which nothing great can ever be accomplished. He thoroughly believed, not merely that the system of the Roman Church was true,

His confidence in his cause.

CH. I. 1613.

but that it was so evidently true that no one who was not either a knave or a fool could dispute it for an instant. He believed no less thoroughly that his own sovereign was the greatest and most powerful monarch upon earth, whose friendship would be a tower of strength to such of the lesser potentates as might be willing to take refuge under his protecting care. Nor did it ever interfere with the serenity of his conviction, that he was from time to time made aware of facts which to ordinary eyes would appear to be evidence that the strength of Spain was greater in appearance than in reality. He passed them by when they were thrust upon his notice with the simple suggestion that, if anything had gone wrong, it was no doubt because his Majesty had neglected to give the necessary orders. It was this assumption of superiority which formed the strength of his diplomacy. All were inclined to give way to one who rated himself so highly. There are passages in his despatches which might have been penned by the Roman who drew the circle round the throne of the Eastern king, forbidding him to leave it till he had conformed to the orders of the Senate. There are other passages which remind us forcibly of Caleb Balderstone shutting his eyes, and doing his best to make others shut their eyes, to the evidences of the decline of his master's fortunes.

His diplomatic qualities.

In addition to this abounding confidence in himself and in his mission, Sarmiento was possessed of all those qualities which are the envy of ordinary diplomatists. He had that knowledge of character which told him instinctively what, on every occasion, it was best to say, and what was better left unsaid. His prompt, ready tongue was always under control. No man at the court could pay a more refined compliment, could jest with greater ease, or could join with greater dignity in serious conversation. Such a man was, above all others, qualified to make an impression upon James. His conversational powers were sure to prove attractive to one who was so fond of chatting over all kinds of subjects, and his imperturbable firmness would go far to overawe that vacillating nature which would cling for support to the strongly expressed opinions of the Spanish ambassador. The con-

trast between the strength of Sarmiento's character and the weakness of his own, would be certain to call forth the admiration of James, in the same way that the strong limbs and the handsome features of Carr or Villiers gained a hold upon his imagination from his own deficiency in those very qualities which attracted him in them.

Affair of Donna Luisa de Carvajal.

If Sarmiento had studied the character of James during a lifelong intimacy, he could not have contrived anything better calculated to make an ineffaceable impression upon his mind than the line of conduct which he adopted in an affair which chance threw in his way not many weeks after his arrival in England. There was a certain lady, Donna Luisa de Carvajal, who had for more than eight years been living in the house in the Barbican, which had been occupied in turn by the Spanish ambassadors. To zealous Protestants her mere presence without any assignable reason was objectionable. She had sacrificed a good estate to found a college in Flanders for the education of English youths in her own religion, and she had settled in England with the express intention of persuading every one who came within her reach to forsake the paths of heresy. She had been a frequent visitor of the priests shut up in prison, and had made herself notorious by the attentions which she had paid to the traitors who had taken part in the gunpowder-plot. She had herself been imprisoned for a short time in 1608, for attempting to convert a shop-boy in Cheapside, and for denying the legitimacy of Queen Elizabeth's birth.* It was well known that she kept a large retinue of English servants, and it was rumoured that her household was nothing less than a nunnery in disguise. Abbot especially had his eye upon her. One day he heard that she had left the embassy, and had gone for change of air to a house in Spitalfields. He immediately obtained from the council an order for her arrest, and had her sent to Lambeth, to be kept in confinement under his own roof.

Her imprisonment.

* I owe my information on this imprisonment of Donna Luisa, and on the college she founded in Flanders, to the kindness of the late Sir Edmund Head, who showed me an extract from a letter of Mr. Ticknor's, describing a book in his library, giving an account of the lady's proceedings, and printed at Seville immediately after her death, which took place in Sarmiento's house in January, 1614.

CH. I. 1613.

Sarmiento, as soon as he heard what had been done, directed his wife to go immediately to Lambeth, and ordered her to remain with the lady till she was liberated. Having thus provided that at least a shadow of his protection should be extended over her, he went at once before the council, and demanded her release. Failing to obtain redress, he sent one of his secretaries, late as it was in the evening, with a letter to the King. James, hearing a stir in the ante-chamber, came out to see what was going on. As soon as he had read the letter, he told the secretary that ever since Donna Luisa had been in England, she had been busy in converting his subjects to a religion which taught them to refuse obedience to a King whose creed differed from their own. She had even attempted to set up a nunnery in his dominions. If an Englishman had played such tricks at Madrid, he would soon have found his way into the Inquisition, with every prospect of ending his life at the stake. He was, however, disposed to be merciful, and would give orders for the immediate release of the lady, on condition of her engaging to leave England without delay.

Her release effected by Sarmiento.

The next morning a formal message was brought to Sarmiento, repeating the proposal which had thus been made. There are probably few men who, if they had been in Sarmiento's place, would not have hesitated a little before rejecting the offer. To refuse the King's terms would be to affront the man upon whom so much depended. Sarmiento did not hesitate for a moment. The lady, he said, had done no wrong. If the King wished it, she would no doubt be ready to leave England at the shortest notice. But it must be clearly understood that in that case he, as the ambassador of his Catholic Majesty, would leave England at the same time. The answer produced an immediate effect. That very evening Donna Luisa was set at liberty, and Sarmiento was informed that her liberation was entirely unconditional.*

Effect of his conduct on the King's mind.

There is nothing in Sarmiento's account of the matter which would lead us to suppose that he acted from any

* Sarmiento to Philip III., Nov. $\frac{6}{16}$. *Simancas MSS.* Est. 2590. Sarmiento to Northampton [?]. Sarmiento to the King, Oct. $\frac{19}{29}$, 1613. *S. P. Spain.*

deep design. But it is certain that the most consummate skill could not have served him better. He had met James, as it were, face to face, and James had quailed before him. From henceforth the two men knew each other; and when the time arrived in which James would be looking round him for the support of a stronger arm than his own, he would bethink him of the Spanish stranger in whom he had so unexpectedly found a master.

Sarmiento's continued inaction.

Sarmiento was not the man to be elated by success. He knew well that over eagerness on his part would be fatal to his hopes of being able ultimately to divert James from the French alliance. He could afford to wait till an opportunity occurred in which he might assume for his master the character of a disinterested friend, and might thereby be enabled to throw his net with greater skill. He had good friends at Court, who kept him well informed, and he was aware that, for the time at least, James had set his heart upon his son's marriage with the French princess. Nor was he ignorant that in this desire he was encouraged not only by the moderate English Protestants, but also by his Scotch favourites, whose national predilection led them, as it had so often led their ancestors, to look with favour upon an alliance with France.

The pensioners of Spain.

Those who have derived their ideas of Sarmiento from the idle stories which were a few years later so readily accepted by the credulous multitude, and which have found their way into every history of the reign, will no doubt imagine that he was occupied during this period of inaction in winning over to his side, with offers of pensions and rewards, all whose influence might hereafter be of use to him. The truth is, that no ambassador of the day was so little disposed to profusion as Sarmiento. The tales of the floods of Spanish gold which were popularly supposed to be flowing at regular intervals into the pockets of every Englishman worth buying, if not quite as imaginary as the stories of Pitt's English gold, which still find their place in French histories of the great revolution, have but slight support in actually existing facts. When Sarmiento arrived in England, there were only four survivors out of the seven who had been placed

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upon the pension list shortly after the signature of the peace of London*. These four, the Earl of Northampton and Lady Suffolk, Sir William Monson, the admiral of the narrow seas, and Mrs. Drummond, the first lady of the bedchamber to the Queen, continued as a matter of course to draw their annual stipends. But Sarmiento as yet made no proposal for increasing their number. He no doubt knew perfectly well that if he could gain the King he had gained everything, and that, excepting in some special cases, as long as he could find his way to the ear of James, the assistance of venal courtiers would be perfectly worthless. The good offices of the Catholics, and of those who were anxious to become Catholics, were secured to him already.

The Queen.

Amongst those of whose assistance he never doubted, was the Queen. The influence which Anne exercised over her husband was not great, but whatever it was she was sure to use it on behalf of Spain. Mrs. Drummond, in whom she placed all her confidence, was a fervent Catholic, and from her, it would seem, she had learned to value the doctrines and principles of the Church of Rome. She did not, indeed, make open profession of her faith. She accompanied her husband to the services of the Church of England, and listened with all outward show of reverence to the sermons which were preached in the chapel royal. But she never could be induced to partake of the communion at the hands of a Protestant minister, and those who were admitted to her privacy in Denmark House †, knew well that, as often as she thought she could escape observation, the Queen of England was in the habit of repairing to a garret, for the purpose of

* The seven were—Salisbury, with 1500*l.* a-year; Northampton, Dorset, and Lady Suffolk, 1000*l.*; Devonshire, 750*l.*; Monson and Mrs. Drummond, 350*l.* In the first list, Nottingham's name was down for 1000*l.*, but as it is not to be found in any later list, it may be hoped, for the credit of the Admiral who led the fleet against the Armada, that he rejected the proffered pension. The names of the Earl of Dunbar, Lord Kinloss, Sir Thomas Lake, Sir John Ramsay (Earl of Haddington), and Sir James Lindsay, are also given for pensions either suspended for various reasons, or not paid at all.—Memoir left by Villa Mediana, July $\frac{8}{18}$, 1605. *Simancas MSS.* Est. 2514. I keep the title "Mrs.," by which she was described by contemporaries, and which was then applied to unmarried ladies.

† This was the name given to Somerset House during her residence there.

hearing mass from the lips of a Catholic priest, who was smuggled in for the purpose.*

1613.

The Earl of Somerset.

Ready as the Queen was to do everything in her power to help forward the conversion of her son, and his marriage with a Spanish princess, her assistance would be of far less value than that of the King's favourite companion, the recently created Earl of Somerset. It is not likely that Somerset cared much whether his future queen was to be a daughter of the King of Spain or a sister of the King of France. But his insolent demeanour had involved him in a quarrel with Lennox and Hay, the consistent advocates of the French alliance, and his marriage with the divorced Lady Essex had brought him into close connection with her father, the Earl of Suffolk, and her great-uncle the Earl of Northampton. He had, therefore, suddenly become a warm advocate of the marriage with a daughter of the Duke of Savoy, which had been adopted by the partizans of Spain, as soon as they saw that an apparently insuperable obstacle had been raised in the way of the match with the Infanta, by Philip's declaration that it was impossible for him to give a Spanish princess to a Protestant.

1614.

Cottington's visit to Sarmiento.

At the time of Somerset's marriage, Sarmiento had followed the fashion, and had presented both the bride and the bridegroom with a wedding present. But no peculiar intimacy had as yet sprung up between them, and indeed, it was not till after he had obtained permission from the King that Somerset consented to accept the jewels, of which the ambassador's gift consisted †. Sarmiento was, therefore, somewhat surprised to receive a visit from Cottington a few weeks after the marriage, who announced to him that he had been charged with a message from the favourite. Somerset, he said, was anxious to put a stop to the negotiations with France, and in this he was acting in concert with Lake, who was at the time

* Sarmiento to Philip III., $\frac{\text{Aug. 27}}{\text{Sept. 6}}$, 1613. Minutes of Sarmiento's Despatches, June $\frac{20}{30}$, $\frac{\text{June 22, 23, 24}}{\text{July 2, 3, 4}}$, 1614. *Simancas MSS.* Est. 2590, 2518.

† Accounts of the Spanish Embassy, Feb. $\frac{2}{12}$, 1614. Sarmiento to Philip III., May $\frac{2}{12}$, 1616. *Simancas MSS.* Est. 2514, 2595. The Earl's jewel was worth about 200*l.*; the Countess's rather less.

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the candidate of the Howards for the secretaryship which had been vacant ever since Salisbury's death. Cottington added that he was commissioned to request the ambassador to seek an audience of the King, and to urge him by every argument in his power to have nothing further to do with the French Court.

Sarmiento's prudence.

Sarmiento was highly delighted at the overture. It seemed, he wrote home a few days afterwards, as if God had opened a way before him. But he was far too prudent to comply with Somerset's request. He knew that if he thrust himself prematurely forward, his words would be regarded with suspicion; and that no one would believe that anything that he might now say would not be repudiated at Madrid as soon as it had served its purpose. It was not from him that any open attack upon the French alliance could safely come. He accordingly assured Cottington that he was always ready to listen to advice from such a quarter, but that he could not help thinking that the step proposed would be rather premature. A few weeks later Somerset made another attempt to drag the cautious ambassador on to over hasty action. It was all in vain. His suggestions were received with becoming deference. Nothing could be more polite than Sarmiento's language. But the compliments in which he was so profuse always ended in a refusal to compromise his master's cause by the slightest appearance of eagerness to seize the prey.*

Breach between James and the Commons.

It was not long before his patience was rewarded. On the 5th of April, 1614, Parliament met at Westminster. If that session had ended harmoniously, James would doubtless have accepted the French alliance. He had only to speak the word and the Queen Mother would be ready to close with his terms.† But the conditions under which that Parliament assembled were hardly such as to promise success. James had no capacity for understanding the great principle which Bacon was constantly urging

* Sarmiento to Philip III. Jan. $\frac{15}{25}$, Feb. $\frac{2}{12}$, 1614. *Simancas MSS.* Est. 2592.

† This was Sarmiento's opinion. See the documents in the Appendix to *Francisco de Jesus.* At p. 203 of the second volume of my former work I was misled into supposing that the Queen Mother was playing a double game.

upon him, that if he wished to master the House of Commons, he must guide it to common action with himself. He met the House without a defined purpose, and without any prevision of the course which it was likely to pursue.*

April. Meeting of Parliament.

At the very outset of the session, the feeling of the Commons was embittered by the attempt which had been made by certain persons about the court, to tamper with the elections. When Winwood, who had been recently appointed secretary, as a proof of the conciliatory disposition of the King, rose to propose a vote of supply, he was met by an outcry against the impositions, and by a renewal of the old complaints of ecclesiastical grievances. Discussion on such points was sure to be irritating, and, at the same time that the House of Lords, in evident agreement with the King, refused even to listen to the complaints of the Commons, the members of the Lower House were thrown into a state of frenzy by an insult which was directed against their whole body by Bishop Neile.†

May. Quarrel with the King.

More than two-thirds of the members had never held a seat before, and were new to the traditionary restraints of parliamentary debate. A scene of angry recrimination followed, which could only serve to irritate the King. One member proposed to inquire into the official conduct of the bishop. Another poured forth a torrent of abuse against the whole tribe of courtiers. A third boldly entered upon the more tender subject of the Scottish

* I fully accept Mr. Spedding's argument (*Bacon's Letters and Life*, iv. 363), in favour of Bacon's plan for dealing with the House. But unless the King were prepared to give up the impositions, and to modify his ecclesiastical policy, he could hardly have satisfied the Commons.

† In a speech delivered in 1624 by Sir John Eliot, who had been a member of this Parliament, and quoted by Mr. Forster (*Life of Eliot*, i. 25), the King is said to have been driven to dissolve the Parliament of 1614, by the irritation shown by the Commons at the interference of the Court with the elections. This is a curious instance of the tricks played by memory in looking back even to so short a distance as ten years; for it is certain that the question of the elections was settled, and that it was the refusal of the House of Lords to listen to the Commons about the impositions which really caused the breach. Eliot's charge against that Parliament of having needlessly caused a breach with the Crown must fall to the ground, though, no doubt, the feeling about the elections had something to do with the temper in which they expressed their feelings on other matters. The quarrel must have come, and there was at that time no sufficient reason, such as that which existed in 1621 and in 1624, for laying the matter in dispute aside for a time.

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1614. May.

favourites, and even hinted the possibility of an imitation of the Sicilian vespers.

Exasperation of the King.

James's first impulse was at once to get rid of the malcontents by a dissolution. But it was impossible for him to conceal from himself the gravity of his situation. When he had dismissed his first parliament, four years before, he had been able to persuade himself that his quarrel was only with the existing House of Commons. But a second election had produced the same results. He could no longer doubt that the dissatisfaction which he had caused extended, if not to the whole nation, at least to those large and influential classes by which the House of Commons was returned.

He turns for support to the Catholics.

There was one direction in which James might turn for help. Of all those whose opposition he had most to fear, there were none who cherished sentiments so completely at variance with the existing system of government, or who expressed their sentiments with so little reserve, as the men whose religious opinions were branded with the name of Puritanism. Might it not be well then, James appears to have thought, to do something to conciliate his Catholic subjects, in whom he would without difficulty find a support against what he regarded as the common enemy. No doubt they had cause enough to question his sincerity. It is easy to conceive the feelings with which the Catholic regarded the law-makers who had exacted from him the monthly 20*l.*, which he was bound to pay into the exchequer, or who had confiscated those two-thirds of the hereditary estate, which he and his children could only regain by apostacy. But in establishing a harsh and oppressive system, the members of the legislature at least had in view great public objects, and their measures were to be justified, if they were to be justified at all, as measures which they believed to be absolutely required for the public safety. In the hands of James the system had, to a great extent, degenerated into an engine for filling the pockets of his needy courtiers. Of late years, wealthy recusants had been assigned to the hangers-on at Whitehall, that they might extract from their fears whatever they chose to ask for, by threatening them with the terrible penalties which

awaited a refusal to take the oath of allegiance. Nor was James's conduct at the beginning of his reign reassuring. He had granted a remission of the fines, to be continued * as long as the Catholics conducted themselves properly, and had retracted his grant without being able to charge them as a body with any misconduct.† But whatever indignation may have been caused by such treatment as this, there could be little doubt that it would be condoned by the sufferers if they had reason to hope for an alleviation of their condition for the future.

Difficulties in the way of toleration.

Even if James had been influenced by any real love for religious liberty, he would have found his path encumbered with the gravest difficulties. Yet they were, perhaps, not such as to be absolutely insurmountable to a prince who was in sympathy with the Protestantism of his subjects. But, if he was to succeed, there must at least be no tampering with the cardinal principle of the English Reformation, the independence of the Crown in ecclesiastical matters. For whatever priests and Jesuits might say, there was something not so very unreasonable in the distrust with which the Catholics were regarded by their countrymen. They were part of a huge organization, of which the chief was a foreign potentate; and that potentate had in very recent times been able to dispose of the armies of the King of Spain to carry out his designs. If James was to succeed in securing any sort of toleration for the Catholics, he must avoid all appearance of entering into a bargain with the Pope, and, above all things, he must avoid all appearance of entering into a bargain with the King of Spain.

James looks to Spain for protection.

Unluckily for himself and for the Catholics, James was thinking much more about his own interests than he was about the sufferings of the recusants; and, in his eyes, the support which he might gain from his Catholic subjects was as nothing in comparison with the support which he hoped to gain from a close alliance with

* *History of England*, 1603—1616, ii. 82. Amongst the uncalendared addenda to the State Papers—a knowledge of which I owe to the kindness of Mrs. Green—is a grant to Lord Hay of anything he could get out of one of the wealthy recusants, over and above the 240*l.* a year which he was regularly paying into the Exchequer.

† *History of England*, 1603—1616, i. 109, 220.

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Spain. He was, therefore, by no means in a hurry to alleviate the misfortunes of the Catholics. Not a single priest was set free from prison. Not a single layman was excused the payment of his fine. The hardships of the Catholics were to be exhibited in the eyes of Spain as the means of extorting better terms, just as in barbarous warfare captives have sometimes been brought out before the walls of a besieged city, and tortured in the sight of their friends, in order to hasten the surrender of the garrison.

Vagueness of his expectations.

It is difficult to say what it was exactly that James expected from the King of Spain. In the first place, no doubt, he reckoned that the Infanta, if he could obtain her for his son, would bring with her a portion far larger than he could hope to receive from France, large enough, at all events, to pay nearly the whole of the debt which had made it necessary for him to ask the assistance of Parliament.* Beyond this, his ideas were evidently vague. He seems to have had no definite intention, such as that with which his grandson sought the alliance of Lewis XIV., of asking for any annual subsidy, or of demanding military assistance against his subjects. He appears, as far as it is possible to judge, to have felt towards Philip merely as the weak and exhausted swimmer feels towards the strong man whose hand is held out to save him from drowning. To James, bearded by his own subjects, the very name of the king of Spain was a tower of strength. Keen observers might indeed detect the evidences of feebleness even at Madrid. But to James, the poor bigot who scarcely ever ventured upon an act of his own, was the strongest of the strong. Was not Philip the master of the finest army in the world, and the possessor of treasures which seemed boundless to a king whose experience of wealth had never gone beyond the empty exchequer at Westminster? Above all, there was no parliamentary opposition in the Castiles. The

* On the 2nd of May the debt was 680,000*l.*, whilst the portion which was offered by Spain as soon as the negotiations were seriously opened, was 600,000*l.* That James was mainly influenced in his desire for the marriage by a disinclination to match his son with a lady of any but the highest rank is a supposition, which, however generally adopted, finds no support from any authority worthy of notice.

Cortes met from time to time, but it was only to give their assent to the collection of the subsidies which they were directed by the Government to vote. That the soul had already fled from the huge carcase, James was incapable of perceiving.* 1614. May.

If James had been inclined to doubt the wisdom of the course which he had determined to pursue, hesitation would have been impossible in the presence of Sarmiento, the impersonation, to a weak and wavering mind, of moral and intellectual strength. He had been encouraged by a letter, which he had two or three months before received from Digby, telling him that Lerma had been making fresh overtures for the renewal of the negotiations for the marriage, and the information had probably been confirmed by Digby himself, who had recently returned from Spain.† But until he could be assured of the approval of the Spanish Ambassador, he did not venture to dissolve the Parliament. He accordingly sent to Sarmiento, asking him to inform him whether, in the event of his quarrelling with the House of Commons, he could depend upon his master's support.‡ Sarmiento, unwilling to commit himself, vaguely answered that Philip was always perfectly disinterested in his friendships, and that he was undoubtedly desirous of being on June. His message to Sarmiento.

* There is a curious passage in a paper which undoubtedly proceeded from Sarmiento's pen, after his return to Spain, in which he describes his method of obtaining a mastery over James :—" El medio que el Conde de Gondomar ha tenido para quitarle estos miedos" (*i. e.*, his fears lest Spain should deceive him) " y irle empeñando en la amistad con V. Mag^{d}, ha sido mostrandole el gran poder de V. Mag^{d}, y una muy gran llaneza y confiança con mucha verdad en su tratto, encareciendole lo que se tratta en España, la seguridad con que podrá vivir en sus mismos Reynos, asentando esta amistad; pues viendole unido con esta Corona se aquietarán todos sin que nadie ose menearsele :—que los mismos Catolicos de quien oy se rezela tanto serán los mas seguros y de quien mejor se podrá fiar, y juntamente con esto ha procurado conserbar y aumentar en Inglaterra la religion Catolica, particularmente entre los ministros y personas mas poderosas de aquel Reyno, para que estos de su parte ayudassen tambien á empeñar á aquel Rey en estrecha amistad con esta Corona y ser seguros de la parte de V. Mag^{d} para en caso que se rompa y sea necesaria la guerra." Consulta by Aliaga and Gondomar, Jan. $\frac{3}{13}$, 1619. *Simancas MSS.* Est. 2518.

† Digby to the King, Jan. 3, 1615. Printed with a wrong date in *Lords' Journals*, iii. 239, as having been written in $162\frac{4}{5}$.

‡ Minutes of Sarmiento's despatches June $\frac{20}{30}$ $\frac{\text{June 22, 23, 24,}}{\text{July 2, 3, 4,}}$ 1614. *Simancas MSS.*, Est. 2518. Printed in Ap. to *Francisco de Jesus.*

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1614. June.

good terms with England. This was enough for James. He plucked up courage at once, and Parliament was dissolved.

He details his grievances to the ambassador.

A few days later, James sent for Sarmiento, and poured into his willing ear his complaints of the insulting behaviour of the Commons. "I hope," he said, when he had finished his story, "that you will send the news to your master as you hear it from me, and not as it is told by the gossips in the streets." As soon as the ambassador had assured him that he would comply with his wishes, James went on with his catalogue of grievances. "The King of Spain," he said, "has more kingdoms and subjects than I have, but there is one thing in which I surpass him. He has not so large a Parliament. The Cortes of Castile are composed of little more than thirty persons. In my Parliament there are nearly five hundred. The House of Commons is a body without a head. The members give their opinions in a disorderly manner. At their meetings nothing is heard but cries, shouts, and confusion. I am surprised that my ancestors should ever have permitted such an institution to come into existence. I am a stranger, and I found it here when I came, so that I am obliged to put up with what I cannot get rid of." Here James coloured, and stopped short. He had been betrayed into an admission that there was something in his dominions which he could not get rid of if he pleased. Sarmiento, with ready tact, came to his assistance, and reminded him that he was able to summon and dismiss this formidable body at his pleasure. "That is true," replied James, delighted at the turn which the conversation had taken; "and what is more, without my assent the words and acts of the Parliament are altogether worthless." Having thus maintained his dignity, James proceeded to assure Sarmiento that he would gladly break off the negotiations with France, if only he could be sure that the hand of the Infanta would not be accompanied by conditions which it would be impossible for him to grant. The Spaniard gave him every encouragement in his power, and promised to write to Madrid for further instructions.

If James could have looked over the ambassador's

1614. June. Sarmiento's plans for Europe;

shoulder as he was writing his next despatch, he would soon have been sickened of his scheme for freeing himself from his own subjects by the help of Spain. Sarmiento's plans aimed at something far more splendid than the alleviation of the distress of a handful of Catholics in England. He believed, as many besides himself believed, that a crisis was at hand in which the very existence of the Catholic system would be at stake. He saw in the overtures which had lately been made by James to the continental Protestants, the foundation of an aggressive league against the Catholic powers. The attack, he thought, would be commenced by a demand that the Catholic sovereigns should grant liberty of conscience to their subjects, and he never doubted that such a concession would be fatal to the retention by the Pope of the influence which he still possessed. He therefore proposed to carry the war into the enemy's quarters. If liberty of conscience, under the guarantee of England and the German Union, would disintegrate Catholicism in the South, why should not liberty of conscience, under the guarantee of Spain, disintegrate Protestantism in the North? Nor had he any doubt that England was the key-stone of Protestantism. If the countenance of England were withdrawn from the Protestants on the continent, the Catholic princes would be able to resume their legitimate authority. The Dutch rebels would be compelled to submit to their lawful sovereign. The French Huguenots would be unable any longer to make head against the King of France. The German Protestants would find it impossible to resist the Emperor. Sigismund of Poland would regain the throne of Sweden, from which he had been driven by his usurping uncle Charles IX., and his usurping cousin Gustavus Adolphus. The restoration of Catholicism would go hand in hand with the cause of legitimate monarchy. Law and order would take the place of religious and political anarchy. The only remaining Protestant sovereign, the King of Denmark, it could not be doubted for an instant, would conform to the counsels and example of his brother-in-law, who, before many years were past, would be the Roman Catholic king of a Roman Catholic England.

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1614. June. and for England.

Nothing less than this was the mark at which Sarmiento aimed. It is true that he did not think it necessary, as Philip and Lerma had thought it necessary three years before, to ask that the conversion of the Prince should precede his marriage. He had seen enough of James to know that such a proposal would only irritate him. He thought he could make sure of his prey without difficulty in another way. If he could only, by the political advantages which he had to offer, tempt James to relax the penal laws, the cause of English Protestantism was lost. Catholic truth, when once these artificial obstacles were removed, would be certain to prevail. A Catholic majority would soon be returned to the House of Commons, and James himself, if he wished to preserve his crown, would be driven to declare himself a convert, and to lend his aid to the suppression of heresy.*

Grounds on which he founded his expectations.

There were not wanting a few facts which, with the exercise of considerable ingenuity, or by the instigation of a hopeful imagination, might be made to serve as a foundation for this stupendous edifice of fancy. The cessation of the war with Spain had led to a reaction against extreme Puritanism, now no longer strengthened by the patriotic feeling that whatever was most opposed to the Church of Rome was most opposed to the enemies of England. And as the mass of the nation was settling down into content with the rites and with the teaching of the English Church, there were some who floated still further with the returning tide, and who were beginning to cast longing looks towards Rome. Four times a day Sarmiento's chapel was filled to overflowing. From time to time the priests brought him word that the number of their converts was on the increase; and they were occasionally able to report that some great lord, or some member of the Privy Council was added to the list.† Already, he believed, a quarter of the population were Catholics at heart, and another quarter, being without

* Minutes of Sarmiento's despatches, June $\frac{20}{30}$ $\frac{\text{June 22, 23, 24,}}{\text{July 2, 3, 4,}}$ 1614. *Simancas MSS.* Est. 2518.

† These cases are occasionally mentioned in Sarmiento's despatches; but Lord Wotton's name is the only one which is not concealed.

any religion at all, would be ready to rally to their side if they proved to be the strongest.* An impartial observer might, perhaps, have remarked that no weight could be attached to such loose statistics as these, which probably owed their origin to the fervid imaginations of the priests and Jesuits who thronged the ambassador's house, and that whatever might be said of the number of the converts, there was not to be found amongst them a single man of moral or intellectual pre-eminence.

Indeed, as far as we are able to judge, they were for the most part persons who were very unlikely to influence the age in which they lived. The giddy and thoughtless courtier, or the man of the world who had never really believed anything in his life, might forswear a Protestantism which had never been more than nominal, and England would be none the worse.

He urges Philip to close with James's offer.

Notwithstanding his conviction of the soundness of his reasoning, Sarmiento knew that he would have considerable difficulty in gaining the consent of Philip to his scheme; and especially in persuading him to withdraw his demand for the immediate conversion of the Prince. He, therefore, began by assuring him that it would be altogether useless to persist in asking for a concession which James was unable to make without endangering both his own life and that of his son. Even to grant liberty of conscience by repealing the laws against the Catholics was beyond the power of a King of England, unless he could gain the consent of his Parliament. All that he could do would be to connive at the breach of the penal laws by releasing the priests from prison, and by refusing to receive the fines of the laity. James was willing to do

* Sarmiento divides the population as follows :—

Recusants	300,000
Catholics who go to church . . .	600,000
Atheists	900,000
Puritans	600,000
Other Protestants	1,200,000
	3,600,000

- Sarmiento to Philip III. $\frac{\text{April 29}}{\text{May 9}}$, 1614. *Simancas MSS.* Est. 2592.

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this; and if this offer was accepted, everything else would follow in course of time.*

1614. July. The Pope's opposition.

Sarmiento may well have doubted whether his suggestions would prove acceptable at Madrid. On the first news of Somerset's overtures, Philip, or the great man who acted in his name, had determined upon consulting the Pope.† The reply of Paul V. was anything but favourable. The proposed union, he said, would not only imperil the faith of the Infanta, and the faith of any children that she might have, but would also bring about increased facilities of communication between the two countries which could not but be detrimental to the purity of religion in Spain. Besides this, it was well known that it was a maxim in England that a king was justified in divorcing a childless wife. On these grounds he was unable to give his approbation to the marriage.‡

August. The junta of theologians.

Even those to whom the Pope's objections are no objections at all cannot but wish that his judgment had been accepted as final in the matter. In his eyes marriage was not to be trifled with, even when the political advantages to be gained by it assumed the form of the propagation of religion. In his inmost heart, most probably, Philip thought the same. But Philip was seldom accustomed to take the initiative in matters of importance, and, upon the advice of the Council of State, he laid the whole question before a junta of theologians. It was arranged that the theologians should be kept in ignorance of the Pope's reply, in order that they might not be biassed by it in giving their opinions. The hopes of the conversion of England, which formed so brilliant a picture in Sarmiento's despatches, overcame any scruples which they may have felt, and they voted in favour of the marriage on condition that the Pope's consent could be obtained. The Council adopted their advice,

* Minutes of Sarmiento's despatches, June $\frac{20}{30}$, June 22, 23, 24, July 2, 3, 4. *Simancas MSS.* Est. 2518.

† Philip III. to Paul V., June $\frac{9}{10}$. *Francisco de Jesus*, 6. Guizot. *Un Projet du Mariage Royal*, 43.

‡ The Count of Castro to Philip III., July $\frac{4}{14}$. *Francisco de Jesus*, 6. Guizot, 46.

1614. Sept. Preparation of the marriage contract.

and ordered that the articles should be prepared. On one point only was there much discussion. Statesmen and theologians were agreed that it was unwise to ask for the conversion of the Prince. But they were uncertain whether it would be safe to content themselves with the remission of the fines by the mere connivance of the King. At last one argument turned the scale. A change of law which would grant complete religious liberty would probably include the Puritans and the other Protestant sects. The remission of penalties by the royal authority would benefit the Catholics alone.*

Digby's return to Madrid.

Digby was expected to return to his post at Madrid before the end of the year. With the men who, like Somerset, looked upon an intrigue with Spain as a good political speculation, or whose vanity was flattered by the cheap courtesies of Sarmiento, he had nothing in common. The Spanish ambassador never ventured to speak of him except as of a man of honesty and worth, to whom his master's interests were dearer than his own. No doubt, as long as human nature remains what it is, a man through whose hands the most important business of the day is passing can hardly help feeling a growing interest in the success of the policy which is to gain him a name in history, as well as to secure him the immediate favour of his sovereign. Yet Digby had not accepted the charge of the negotiations without a protest. He had told the King that, in his opinion, it would be far better that his son's wife should be a Protestant. Why should he not look for support to the affections of his subjects rather than to the ducats of the Infanta? A Spanish Princess of Wales would bring with her elements of trouble and confusion. Under her protection the English Catholics would grow in numbers and authority, till it would become impossible to repress their insolence without adopting those harsh and violent measures which had long been foreign to the spirit of the English law. Having thus done his duty by warning James of the

His views on the marriage.

* Consultas of the Council of State, $\frac{\text{July } 29}{\text{Aug. } 8}$, Aug. $\frac{6,\ 20}{16,\ 30}$, Nov. $\frac{17}{27}$, 1614, Jan. $\frac{1}{11}$, 1615; Consulta of the junta of theologians, Sept. $\frac{11}{21}$, 1614. *Simancas MSS.* Est. 2518. *Francisco de Jesus*, 7.

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danger which he was incurring, Digby proceeded to assure him that whatever his wishes might be, he would do his utmost to conduct the negotiations to a successful issue. If the future Princess of Wales was to be a Catholic, he thought that a marriage with an Infanta would be better than a marriage with the sister of the King of France. In Spain the Prince would find the most unquestionable royal blood, and from Spain a larger portion might be obtained for the relief of the King's necessities. The only question was whether the marriage could be arranged with no worse conditions than those with which other Catholic princes would be contented.*

The Spanish alliance and the Spanish match

The whole foreign policy of James was so mismanaged, and his attempt to conciliate Spain turned out so ill, that it is difficult to estimate at its true value so moderate a protest. Knowing, as we do, the history of the miserable years which were to follow, it is not easy for us to remember that, if there was nothing to be said in favour of the Spanish marriage, there was much to be said in favour of keeping up a good understanding with Spain. To put ourselves in Digby's place, it is necessary to realise the weariness which the long religious wars of the sixteenth century had left behind them, and the anxious desire which was felt in so many quarters that the peace which had at last been gained might not be endangered by zealots on either side. Was it, then, impossible that England and Spain, the most powerful Protestant State, and the most powerful Catholic State, might come to an understanding on the simple basis of refraining from aggression? Perhaps even with that policy of meddling which had not been entirely renounced at Madrid, it might not have been altogether impossible, but for the events which a few years later occurred in Germany to reawaken the feverish antipathies of religious parties. At all events, if Digby's advice had been regarded, James would have found himself with his hands free, when the crisis came, and would have occupied a position which would have enabled him to mediate in reality as well as in name.

* Digby to the Prince of Wales, 1617. *State Trials*, ii. 1408.

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Digby had not been many days at Madrid before he showed that he was by no means inclined to be the humble servant of the King of Spain. When the articles were laid before him, there was scarcely one against which he had not some objection to raise, and it was not till some months had passed that he agreed to forward them to England for his master's perusal. Even then the negotiations were not to be considered as formally opened. Until James had given his consent to these articles, the negotiation with France was not to be broken off, and all that passed between Lerma and Digby was to bear an unofficial character.

March. The articles sent to England.

Before this paper reached England, Sarmiento was surprised by a visit from Sir Robert Cotton, the antiquary. He told him that he was sent by the King and the Earl of Somerset, who were desirous to see the negotiation taken out of Digby's hands. That ambassador, he said, was in correspondence with Abbot and Pembroke; and much mischief would ensue if he were to let them know that the King had decided to accede to the demands which had been made by Spain. James had, therefore, made up his mind to give a commission to Somerset, authorising him to treat secretly, if only assurances were given that Philip would not expect such concessions on religious matters as he could not grant without risk to his kingdom or his life.*

April. Cotton's visit to Sarmiento.

Scarcely had this extraordinary message been delivered, when Digby's despatch, giving an account of the articles, arrived in England. It was the first time that James had seen the Spanish demands formally set down on paper. He was asked to stipulate that any children that might be born of the marriage should be baptized after the Catholic ritual by a Catholic priest, that they should be educated by their mother, and that, if upon coming of age they chose to adopt their mother's religion, they should be at liberty to do so, without being on that account excluded from the succession. The servants attached to the Infanta's household, and even the wet-

April. James reads the articles.

* The documents on which this is founded will be found in a paper of mine in the *Archæologia*, vol. xli. and in the App. to *Francisco de Jesus*.

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nurses of the children, were to be exclusively Catholics. There was to be a public chapel or church open to all who chose to avail themselves of it. The ecclesiastics attached to it were to wear their clerical habits when they appeared in the streets; and one of their number was to exercise jurisdiction over the Infanta's household. Finally, the execution of the penal laws was to be suspended.

Mischief contained in them.

Anything more fatal to the domestic peace of the Prince, and to the popularity of the monarchy, it is impossible to conceive. Charles was required to admit into his home a wife who would never cease to be ostentatiously a foreigner, and to parade her attachment to a foreign Church, and her devotion to a foreign sovereign, before the eyes of all men. A religion which England had shaken off was to be allowed to creep back upon English soil, not by its own increasing persuasiveness, or by the growth of a more tolerant spirit in the nation, but by the support of a monarch whom, of all others, Englishmen most cordially detested. We have ourselves seen two great nations engaged in an arduous war rather than suffer a third Power to establish a religious protectorate over an empire which was not their own. All that, in our own days, was refused by England and France to Russia in the East, James was required to concede to Spain in the very heart of England.

May. James disposed to refuse assent.

The King's first impulse was to scribble down some notes on the side of the paper on which the articles were written, which, if they had been converted into a formal reply, would have been equivalent to a declaration that he meant to throw up the negotiation altogether.* These notes were by no means deficient in that shrewdness which was characteristic of the man. He was as fully convinced, he wrote, of the truth of his own religion, as the King of Spain could be of his; and he intended to

* A translation of these notes will be found in the paper in vol. xli. of the *Archæologia* already referred to. I have no direct evidence of the time when they were written; but the internal probability is very great that they were the result of the shock occasioned by the first reading of the articles.

educate his grandchildren in the doctrines which he himself professed. He was, however, ready to promise not to use compulsion, and would engage that, if they became Catholics by their own choice, they should not be debarred from the succession. The laws of England enjoined obedience to the King, whatever his religion might be. It was only by the Jesuits that the contrary doctrine was maintained. The servants who accompanied the Infanta might be of any religion they pleased; and, as to the wet-nurses, it would be better to leave the selection of them to the physicians, who would be guided in their choice by the health and constitution of the candidates rather than by their religious opinions. The Infanta might have a large chapel for her household, but there was to be no public church. The permission to the clergy to wear their ecclesiastical habits in the streets would cause public scandal. As to the remission of the penal laws, it would be time enough to consider the point when everything else had been arranged.

Cause of his hesitation.

Sarmiento was at first puzzled to account for this sudden change of tone. But he soon discovered the key to the enigma. It was not merely that James had been startled by the religious and political objections to the treaty. He was the same man as he had always been; and, as usual, it was some petty question affecting his own interests by which he had been turned aside. He had taken fright lest the strength to be gained by the alliance with Spain should prove to his son's advantage rather than to his own. Charles, he fancied, supported by the King of Spain, and by the English Catholics, would be persuaded to head a rebellion against his father. He saw his own dethronement in the future, and he pictured himself an old and worn out man, reduced to end his days in a dungeon, of which his son and the wife with whom he was about to provide him would keep the keys. It would be well if this were all. For, as he was heard to say, a deposed king might easily be murdered even by his own children. On another occasion he pointedly asked Sarmiento what possible motive Charles V. could have had for abdicating in favour of his son; and the tone in which he asked the question convinced the

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Spaniard that he had not the slightest inclination to follow the emperor's example.*

James did not always talk like this. There was a conflict in his mind between fear of his own subjects, and fear of the King of Spain. At last his irresolution came to an end, and he sent to tell Sarmiento that, if some slight modifications were made in the articles, he would be ready to take them for the basis of the negotiation.

Sir Robert Cotton.

The messenger who brought the news to Sarmiento was again Sir Robert Cotton. He was mad with delight, he said, at having been made the channel of such a communication. At last, he added, a prospect was opened of his being able to live and die a professed Catholic, as his ancestors had done before him. As soon as Sarmiento heard this, he rose from his seat, and caught the bearer of the welcome tidings in his arms. The time would come when Cotton would find in his parchments and precedents that his ancestors had been distinguished for other things besides their attachment to the Church of Rome. But for the present he was taking a part over which, in later life, he probably cast a discreet veil in his conversations with the parliamentary statesmen. The man who was to be the friend of Eliot and Selden, now assured the Spanish Ambassador that he was a Catholic at heart, and that he could not understand how a man of sense could be anything else.†

October. Somerset's disgrace.

Somerset's part in this negotiation quickly came to an end. Within a few weeks the all-powerful favourite was hurled from his high estate, and was awaiting in prison the summons which was to call him to plead for his life, on the charge of having taken part in a cowardly

* Sarmiento to Philip III.; Sarmiento to Lerma, May $\frac{20}{30}$; *Simancas MSS.* Est. 2593. *Francisco de Jesus*, App.

† Quotation from Sarmiento's despatch of April $\frac{18}{28}$, in *Arch.* xli. Sarmiento to Philip III., $\frac{\text{June}22}{\text{July } 2}$; *Francisco de Jesus*, App. In a pamphlet published in 1624, there is a passage which shows that there were many Catholics amongst Cotton's friends. In it Gondomar is made to say,—"There were few Catholics in England of note from whom . . . I wrested not out a good sum of money. Sir R. Cotton, a great antiquary, I hear, much complaineth of me, that from his friends and acquaintances only I got into my purse the sum, at the least, of 10,000*l*." *The second part of the Vox Populi.*

murder. Digby was not long in discovering the intrigue, and, upon his return to England, he complained bitterly to the King of this underhand attempt to pass him by. James threw the whole blame upon Somerset, who may possibly to some extent have exceeded his instructions. However this may have been, Digby thought it prudent to believe what he was told.

The Spanish and anti-Spanish factions.

But for Sarmiento's presence in England, the disgrace of Somerset would have left the pensioners and confidants of Spain without a head. The splendid incapacity of Suffolk found no assistance in the more business-like habits of the Cottingtons and the Lakes. Strong in their victory over the fallen favourite, and secure, as they hoped, of the support of their instrument Villiers, Ellesmere and Abbot, Pembroke and Winwood, were pushing on to more brilliant successes still, and were already cherishing hopes, not merely of breaking off the marriage negotiations, but of committing James to an open war with Spain.

Bacon and Digby.

Between these two factions, James' position was doubtless one of extreme difficulty. Yet he was not left altogether without resources. In Bacon and Digby he possessed two advisers of the greatest ability, who might easily have been brought to work together for the common good of the nation. To Bacon—the advocate of a policy, which, by conciliating the House of Commons, would have led James to look to his people, rather than to any foreign state, for the supplies of which he stood so sorely in need—all truckling to Spain was as odious as was the miserable buccaneering spirit, which was not without influence upon so many of his contemporaries, or the bloodthirsty eagerness for a purposeless war, which was the highest virtue of excited theological or political partizans. From Digby, on the other hand, who had never known what parliamentary life was, and who thought more of the preservation of order than he did about the interests of liberty or religion, the King might have learned to meet Spain on equal terms, and to have put the sincerity of Philip's ministers to an immediate test. But it was the fate of this unhappy monarch never to know when he was well served. That which was commonplace or mean in his ministers he could support with the full weight

Ch. I. 1615. of his authority; that which was wise and noble was beyond his comprehension. And so it came to pass that the two greatest statesmen of the day wasted their lives in propping up a policy which was not their own. The tragedy of the years which were to come was to be the tragedy of Bacon and of Digby, and, in their persons, the tragedy of all that was greatest in the England of their day.

1616. Pensions granted by Sarmiento.

Sarmiento, at least, knew James well, and he was not much discouraged at the loss of Somerset's support. The King was the first to make approaches. He sent a message to assure the Spaniard that the negotiation opened through his late favourite should not be dropped. With this prospect before his eyes, Sarmiento set steadily to work to gain new adherents. Just before Somerset's disgrace he had proposed to reward him with the pension of 1500*l.* a year, which had remained vacant since Salisbury's death. He now offered to transfer it to Villiers, and the name of Villiers from thenceforth occupied a place upon the Spanish pension-list. But though the new favourite made no objection to the questionable honour, he resolutely refused to accept a penny of the money. He would ask for the arrears, he used jestingly to say, when the Infanta arrived in England. The sum of 500*l.* a year, which had recently been granted to Lake, was all that was actually paid to any English courtier at the nomination of the ambassador who was popularly supposed to be flinging about his gold in handfuls.*

The negotiation with France broken off.

Sarmiento's strength did not lie in his purse. It was by the force of his will, by the hand of iron within the silken glove, that he gained the mastery over James, and over the careless crowds who gathered round him whenever he made his appearance at Whitehall. He had now to deal more than ever with the King in person. The preparations for Somerset's trial, indeed, left James but little time for other business. But Sarmiento was assured that everything should be settled as he wished. The first thing to be done would be to break with France, and in that there should be no delay. Accordingly, in the

* Accounts of the Spanish Embassy, 1622; *Simancas MSS.* Est. 2515.

summer of 1616, Hay was sent over to Paris to demand conditions which, as James knew perfectly well, it would be impossible for the French government to grant. The ambassador returned, after having served the purpose for which he was sent. In the eyes of the world it seemed as if it was with the French court that the blame of breaking off the marriage really lay.*

James's hesitation.

All through the spring of 1616, the Courts of London and Madrid were fencing with one another on a point of considerable importance. Before James would consent to discuss the terms of the marriage contract, he wished to have some assurance that the Pope would grant the dispensation, if reasonable concessions were made. Philip, who knew that it was perfectly hopeless to expect the Pope to promise anything of the kind, answered that it would be an insult to His Holiness to ask him to consent to articles which he had never seen. At last James, finding that on this point the Spaniards were immoveable, relinquished his demands.†

Modification of the articles.

It is true that before Digby left Spain he had obtained from Lerma some modification of the original articles. The stipulation that the children should be baptized as Catholics was withdrawn. The condition that the servants should be exclusively Catholics was exchanged for an engagement that they should be nominated by the King of Spain. The question of the education of the children, and the question of the boon to be granted to the English Catholics, were allowed to drop out of sight for the present.‡ But the changes were greater in appearance than in reality, as James was well aware that though he was not called upon to express an immediate opinion on these last subjects, the whole of the religious difficulty would come up again for solution before the

* Sarmiento to Philip III., $\frac{\text{Jan. 22}}{\text{Feb 1}}$; *Simancas MSS.* Est. 2595. I have given an account of this embassy in my former work (*Hist. of England*, 1603—1616, ii. 292), but it was not till my visit to Simancas that I became aware how completely the embassy was a mere sham.

† Francisco de Jesus, 13; Sarmiento to Philip III., May $\frac{\text{10, May 31}}{\text{20, June 10}}$; *Simancas MSS.* Est. 2595.

‡ The articles are amongst the State Papers—*Spain;* and are, with a few verbal differences, the same as the twenty articles in Prynne's *Hidden Works*, 4.

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1616.

Continued embarrassment of James.

final arrangements were made. Even now, therefore, he was not without occasional hesitation. One day he told Sarmiento that there were "terrible things in the articles," and suggested that it would be well if they could be reconsidered in England before a special ambassador was sent to discuss them at Madrid. This was not what Sarmiento wanted. He had no wish to be brought into personal collision with James on questions of detail, and with a few well chosen sentences about the impropriety of asking the lady's representative to argue the conditions of the marriage treaty, he quietly set the whole scheme aside. In giving an account to his master of this conversation, he expressed his opinion that James was desirous of reaping the political advantages of the alliance, but that he would prove to be unwilling to make the required concessions to the Catholics.* Yet, whatever his future prospects might be, Sarmiento knew that, for the present at least, James was in his net. It would not be long before the negotiations were formally opened at Madrid.

Plans of the anti-Spanish faction.

In these hours of hesitation, which had preceded the final decision, Winwood and the anti-Spanish party had perceived their opportunity. Unable to take that middle course which leads to fortune, James had been ready to atone for his untimely concessions to one faction, by still more untimely concessions to the other. In their horror at the unutterable shame to which their master was dragging the English nation, it is not strange that Winwood and his friends turned their eyes upon the man who still survived as the foremost relic of the Elizabethan age.

That age, indeed, had not been altogether of pure gold. Side by side with its hardy daring, and its chivalrous devotion, were to be found its low intrigue, and its disregard of moral restraint. The social and religious system of the fifteenth century had fallen to the ground. The social and religious system of the seventeenth century was not yet in being. The men who had served Eliza-

* Francisco de Jesus, 15; Minutes of Sarmiento's despatches, $\frac{\text{Aug. 23}}{\text{Sept. 2}}$ Sept. $\frac{20}{30}$; *Simancas MSS.* Est. 2850, 2518.

beth had, indeed, for the most part, the root of the matter in them. Their imaginations were fixed on high and noble objects. But it was reserved for another generation to define, more strictly than they had been able to do, the boundary between right and wrong; and to form those habits of duty which stand like a wall of rock against temptation, when the unaided heroism of the individual man would resist in vain.

1594. Sir W. Raleigh.

Of this age, of its faults and vices, as well as of its heroism, Sir Walter Raleigh was the most complete representative. There had been a time when men had looked to him for counsel, and they had seldom looked in vain. He had been the Ulysses of a time prolific in heroes. His exploits had been achieved in many climes and under every possible variety of circumstances. Amongst the bogs of Ireland, and under the walls of Cadiz; where the surf of the Atlantic dashes against the rocks of the Western Isles; and where the mighty flood of the Orinoco freshens the salt waves of the ocean, he had made his name known as that of a man fertile in expedients and undaunted in valour.

Unfortunately Raleigh's heroism was the result rather of high instinct than of high principle. It was certain that he would never betray to the enemy, like Sir William Stanley, a post committed to his charge, or accept a pension from Spain, like Salisbury and Northampton. But he never could learn the lesson that there are times when inaction, or even failure, is better than the most glorious success. He loved to bask in the sunshine of a court, and he tempted men to forget the blows which he had dealt upon the Spaniard, in the ever-present spectacle of the monopolies with which his purse was filled, and of the broad lands which he had torn from the feeble grasp of the Church. Nor could he ever understand that it was better to lose sight of the object which he had in view, than to secure it by falsehood and deceit. In his later years he was most especially exposed to his besetting temptation. For it was then that he was called upon to bear injustice with equanimity, and to submit patiently to suffering, rather than to put forth his hand to work which he was unable honestly to accomplish.

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1594.

His thoughts occupied with the Indies.

Long before Raleigh ever saw the face of James, he had been attracted to those countries which were to witness the last exploits of his life. In 1594, he was living at Sherborne in forced retirement, and was undergoing the penalty which had been inflicted upon him by Elizabeth for the wrong which he had done to her whom he had at last made his wife. He there found leisure to ponder once more over the narratives of the Spanish discoveries in America, in which he had taken so deep an interest. As he read, the fire of ambition lighted up within him. He, too, longed to place his name on the roll of the conquerors of the New World. But the fame for which he was eager was very different from that with which Cortes and Pizarro had been contented. His mind had been stirred to the depths by the tales of demoniac cruelty which were wafted across the Atlantic with every ship which returned in safety from the perils of the western seas. Over these tales he brooded till he conceived the idea of another conquest, of a conquest to be undertaken for the preservation, not for the destruction, of the natives of the land. Might there not be other empires upon the American continent as rich and as powerful as those which had succumbed to a handful of Spanish adventurers? To them he would present himself in the name of the Great Queen, whose servant he was, in order that he might save them from the oppressors of their race. He would train them to the use of arms, and to habits of military discipline. Spain had degraded the Indians to the lot of bondsmen. England should raise them to the dignity of civilised and intelligent freemen. For such services, he doubted not, the grateful Indians would willingly pay tribute to their benefactors out of the superfluity of their wealth. England would no longer be over-matched in the battle which she was waging for her very existence. The golden stream which was ceaselessly flowing into the Tagus and the Guadalquiver would, at least in part, be diverted to the Thames. No longer would complaints be heard of the difficulty of meeting the expenses of the war with the miserable revenue which was all that Elizabeth could call her own. The gold which had been used by Philip to corrupt and

enslave would, in English hands, be all powerful to free the nations of Europe from his detested yoke.

El Dorado.

The tract of country in which Raleigh hoped to try the grand experiment, was situated somewhere above the head of the delta of the Orinoco, at an unknown distance from the southern bank of the river. Here, if credit was to be given to the reports generally current, was to be found a kingdom whose treasures were at least equal to those which, at the cost of so much blood and misery, had been wrested from the Incas of Peru. It was said that the sovereign of this mighty empire had his abode in the city of Manoa, upon the shores of the lake of Parima, a vast inland sea to which the Caspian alone amongst eastern waters was to be compared. The name of El Dorado, the Golden, was in these narratives sometimes applied to the king himself, who was said to appear on festive occasions with his bare limbs sprinkled with gold dust; but more generally to the city in which he was supposed to hold his court. According to a legend, which was probably of Spanish origin, he was a descendant of a younger brother of the Inca Atahualpa, who had himself been treacherously slaughtered by Pizarro. The remainder of this story was perhaps of native growth, though the seeds from which it sprung had in all probability been quickened into life by the eager inquisitiveness of Europeans.

Probable origin of the fable.

The lake of Parima has long since resolved itself into the inundations which, at certain seasons of the year, spread over the level plains to the enormous extent of fourteen thousand square miles.* For the fable of the Golden City no similar foundation has been discovered. Gold is indeed found amongst the rocks and in the river beds of Guiana, but it does not exist in sufficient quantities to repay the expenses of working. It must not, however, be forgotten, that to give rise to such a tale, it was enough that the wealth described should have been of importance in the eyes of the first narrators, however little its value may have been when judged by the

* Raleigh's *Discovery of Guiana*. Ed. Schomburgk, Introd. 54. I shall always quote from this edition.

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European standard. Whatever gold was in existence would soon find its way into the hands of the most powerful and warlike of the neighbouring tribes, and it is certain that the riches which had thus been acquired would speedily be exaggerated by all who had suffered from the violence of its possessors. When once the idea of great wealth had been accepted, the tale would quickly spread from tribe to tribe, and would be repeated with peculiar emphasis whenever a white man happened to be present. It was too well known that these strange beings from beyond the sea had come to search for gold, and the lesson was soon learned that the surest way to purchase their aid was to impress them with a belief in the unbounded wealth of the enemy.

1595. Raleigh's first voyage to Guiana.

It is easy for us to laugh at such a tale as this. In Raleigh's day it would have been difficult to show any satisfactory reason for rejecting it. Raleigh, at all events, believed it; and the spring of 1595 saw him once more upon the seas, bound for that new world which had filled so large a place in his thoughts, but which he had never yet seen with his bodily eyes.*

From Berreo, the Spanish governor of Trinidad, whom he had contrived to capture, Raleigh learned something of the Golden Land of which he was in search. The Spaniard, too, had joined in the quest, and had even formed a settlement, named San Thome, not far from the spot where the Coroni discharges its waters into the Orinoco, which he had hoped to make the basis of his future operations. But it was not long before the presence of Spaniards produced its usual consequences. The Indians were goaded into resistance by the cruelty of their oppressors, and Berreo's little band found the post no longer tenable. Berreo had accordingly been compelled to retire to Trinidad, where he was awaiting reinforcements from Spain at the time when Raleigh appeared upon the coast. The only Spanish force left on the Orinoco was a small garrison occupying a village belonging to a chief named Carapana; but, as this place was situated below the head of the delta, on the eastern branch of the river, Raleigh

* It will be seen from this that I do not admit Mr. St. John's argument in favour of an earlier voyage.

would find no difficulty in making his way unobserved up the western channel.

The ascent of the river.

Hostile attacks, however, were not the only danger to be encountered. For two hundred and fifty miles, a distance which was magnified into four hundred by the imagination of the weary rowers, Raleigh and his companions struggled in open boats against the mighty stream which was sweeping past them to the sea. The unwholesome food which they carried with them was barely sufficient in quantity to support their exhausted frames. Day after day they were parched by the scorching sunbeams, and by night they were exposed to the heavy dew. At last they arrived at Aromaia, a district not far from Berreo's deserted settlement of San Thome. The chief of the tribe by which that part of the country was occupied had been put to death by Berreo's orders, and his uncle and successor, Topiawari, was glad enough to welcome in the English stranger an enemy of Spain. The Indian told him all he knew, or thought he knew, about the golden empire, and gave him guides to accompany him amongst the neighbouring tribes. Raleigh, as soon as he had left the friendly chief, ascended the stream as far as the mouth of the Coroni, where he picked up some stones in which fragments of gold were imbedded. On his return, he held a long consultation with Topiawari. The Indian promised him the assistance of the neighbouring tribes in his attack upon El Dorado, but recommended him, on account of the lateness of the season, to defer his enterprise till the following year.*

A gold mine pointed out.

Raleigh, therefore, took leave of Topiawari, with a promise that he would soon be back again. A little lower down the stream he was persuaded by his Indian guide to leave the boats, and to strike off into a track which ran along the foot of the hills at no great distance from the southern bank of the river, and which led, as the Indian assured him, to a mountain where stones of the colour of gold were to be found. Raleigh accompanied him to the place, and saw the stones, but does not seem to have thought them of any great value. After

* *Discovery of Guiana*, 42—98.

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some further explorations, he returned to the boats, leaving Keymis, his faithful follower, who was a better walker than himself, to accompany the Indian in a direction parallel with the stream, so as to rejoin his comrades lower down. In due course of time Keymis was taken on board at the appointed place. At first he did not speak of having seen anything remarkable. Afterwards he remembered that, as he passed a certain spot, the guide had made signs to him to follow him; but that, supposing that he merely wished to show him a waterfall, he had refused to turn aside from the track. For the time, he remembered the circumstance merely as an ordinary incident of travel, and he little knew what an influence that lonely spot amongst the hills was to exercise upon the destinies of his master and of himself.*

Raleigh's return.

Raleigh's reception in England was not what he had a right to expect. Elizabeth still looked coldly upon him, and gave no sign of readiness to forward the enterprise upon which he had set his heart. Sober men, who would have given him an enthusiastic welcome if he had sailed into Plymouth Sound followed by a long train of Spanish prizes, shook their heads dubiously when they saw that he had returned empty handed, and came to the conclusion that the story of the golden empire was a mere fabrication, as baseless as the wonderful tales about the armies composed of female warriors, or about the men with heads beneath their shoulders which Raleigh had found floating amongst the Indian tribes. Far more galling were the charges which were circulated in secret by his enemies. Some said that he had been hiding in Cornwall, and had never crossed the Atlantic at all. Others declared that he had gone as far as the coast of Africa, and had there bought the pieces of gold which he exhibited. After this, it was easy to say that his specimens were not gold at all, but only pieces of some glittering mineral of no use to any one.

Publication of the discovery of Guiana.

Raleigh's reply to these calumnies was the publication of the whole history of the voyage from which he had just returned. In other works he may have displayed

* *Discovery of Guiana*, 98.

higher genius, and in other achievements he may have approached more nearly to success; but whenever his character is called in question, it is to this little book that a hearing should first be given. To Raleigh, the man of action, the discovery and conquest of Guiana was what the New Atlantis was to Bacon, the man of thought. It shows not so much what he was as what he would have been.* A great idea had taken possession of him, and, in order to carry it out, he had spurned every ordinary means of enriching himself. It was an idea which was to haunt him through good fortune and through evil fortune, till it brought him to his grave. He was now looking forward to returning to Guiana under the Queen's authority, that he might establish amongst those simple tribes the empire of which he hoped to be the founder.

1595.

If Raleigh could have contented himself with merely literary success, the reception which was accorded to his book would have been sufficient to gladden his heart. In two or three years it went through at least two editions in England, at a time when second editions were far rarer than they are at present. It was not long before it was translated into almost every language of cultivated Europe. From the banks of the Clyde to the banks of the Danube, men were able to amuse themselves in the winter evenings with the stories about the strange peoples who lived on the shores of the Orinoco; and opened their eyes in wonder as they read of the Amazonian warriors, of the men who scarcely bore a human shape, and, above all, of the golden monarch of the golden city beside the lake of Parima. But, as far as any practical result was concerned, the book fell flat upon the world. Amongst the thousands who amused themselves over its pages, it was difficult to find one who would make any sacrifice, however slight, to help on the realisation of Raleigh's dream.†

1596. The expedition to Cadiz.

Still, though the nation and the Queen looked coldly on, there were a few who were ready to trust him once

* "A man's ideal," says Mr. Spedding, "though not necessarily a description of what he is, is almost always a description of what he would be." Preface to the New Atlantis, *Bacon's Works*, iii. 122.

† *Discovery of Guiana*, Introd. 55.

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more. The aged Burghley gave him 50*l.* towards the expenses of another voyage, and Sir Robert Cecil risked a new ship, the mere hull of which cost 800*l.* But Raleigh could not leave England. The Queen needed his services nearer home. He had tried in vain to interest her in Guiana. Whilst Raleigh was thinking of El Dorado, Elizabeth was thinking of the great Spanish fleet lying in Cadiz harbour. In obedience to her, he turned aside to Cadiz, from whence he returned after having achieved, in co-operation with the sailors of the Dutch Republic, the most glorious victory which had for centuries been won by English arms upon the Continent.

Voyage of Keymis to Guiana.

But if Raleigh could not go, at least he could send Keymis. His faithful follower sailed in the February after his return. In the Essequibo he heard fresh rumours of Manoa, and was told of a new route by which it might be approached; but the news from the Orinoco was disheartening. The rivalry which always existed between the Spanish governors of the various towns along the coast had broken out into a flame. Berreo had been assaulted by the combined forces of his countrymen from Cumana and Margarita. He had been overmatched, and had fled up the river towards his old settlement on the Coroni. Even there he had been in danger, but had been relieved by the news of the arrival of the long-expected reinforcements from Spain. As, however, there was likely to be some little delay before the Spanish vessels made their way up the Orinoco, Keymis determined to profit by the opportunity, and to revisit the spot at the mouth of the Coroni, where the specimens of ore had been picked up the year before. On his arrival he found that Topiawari was dead, and that the friendly Indians had been won over by the Spaniards, or had been terrified into submission. All attempts to reach the Coroni were in vain, as Berreo had posted his handful of men in a position which could not be attacked with any prospect of success.

He again hears of the gold-mine.

Keymis, therefore, dropped down the river in search of the Indian guide who had accompanied him in the preceding year, and who had pointed out, as he supposed, a spot from which a view of a waterfall was to be obtained.

1596.

The man was not to be found, and inquiry soon convinced Keymis that the natives were completely cowed, and could not be expected to join in an attack upon their conquerors. But before he left the district his Indian pilot directed his attention to the very spot on the mountain's side where he imagined the waterfall to be. On inquiry, he learned to his astonishment that he had misunderstood the signs of his last year's companion, and that he had missed the opportunity of visiting what all the natives present concurred in describing as a gold mine of exceeding richness. He did not consider himself justified in making the attempt with the small force at his disposal; but he marked the spot, and he kept the information which he had acquired for Raleigh's use.*

Berry's voyage.

In the midst of the employments which were now coming thickly upon him, Raleigh did not forget his darling scheme. He had not been many weeks in England, after his return from Cadiz, before he commenced fitting out another vessel which he dispatched to Guiana under the command of Berry. Berry struck the coast at a point further to the east than Keymis had done. He seems to have been deterred, by the representation of the natives, from proceeding farther than the mouth of the Oyapok, and he returned without making any attempt to penetrate to El Dorado.†

1603. Explorations of Leigh and Harcourt.

Here, for a time, Raleigh's active participation in the Guiana voyages ceased. Leigh and Harcourt, who attempted colonisation early in the reign of James, confined their attention to the more easterly part of the coast where there were no Spaniards to interfere with them; and, in the charter by which James gave his authority to their proceedings, the western boundary of their intended settlement was fixed at the Essequibo.‡ But if Raleigh sent nó more vessels to the Orinoco, he did not forget the Indians who had received him with so hearty a welcome, and whenever he heard of a ship bound for Guiana, he took care to charge the commander with kindly messages for his old friends.

* Keymis. *A Relation of the Second Voyage to Guiana.*
† Hakluyt, iii. 692.
‡ Grant, Aug. 28, 1603. *S. P. Grant Book*, 126.

CH. I. 1603.

Nor was the great white chief forgotten in the West. Leigh's companions had to tell how an Indian had come all the way from the Orinoco to inquire after Raleigh, and to know when his promise to return was likely to be fulfilled. Harcourt reported that Leonard, who had been with Raleigh in England, bore him great affection, and that he loved the English nation with all his heart.*

Raleigh's imprisonment.

Evil days came upon Raleigh.† As he lay in the Tower he turned again, with almost desperate hope, to the Western continent. The report which Keymis had brought of the mine which had been pointed out to him by the Indian took up an abiding place in his imagination. No doubt he had not forgotten his loftier schemes, but he knew well that, to James, gold was a topic which

* Purchas, iv. 1264, 1270.

† I have seen many of Aremberg's despatches at Simancas, but the following passages are the only ones in which the names of Raleigh and Cobham occur :—

"Ayer á la tarde, despues de aver despachado mis cartas de 25 desto, me vino á buscar un amigo, el qual me dixo que se murmurava de alguna conspiracion contra la persona del Rey por algunos Señores Yngleses, pero aun no me supo dezir la verdadera rayz, bien que havian ellos depositado algunos aquí (que quiere dezir puesto en manos de algunos Señores en guarda) algunos Señores, cuyos nombres son Milort Drak," *i. e.*, Brooke, "Ser Water Rale, hermano menor de Milor Cobham, que le fuéron á sacar de su casa, cosa que tira á mayor. Despues otro me ha confirmado lo mismo, y que son hasta diez personas, quiriendo dezir que havian determinado de tomar al Rey, y prendelle yendo á caza, llevalle presso á un castillo para hazelle trocar la manera de governar, y quitar algunos del consejo, y entre otros Cecil que á esta ora es tan enemigo de Ser Water Ralè, y hombre de grande opinion aquí, como havia sido otra vez amigo en tiempo de la Reyna . . . . Todas estas cosas espero que no servirán poco á V. Alteza, porque [el Rey] conoscerá por ello lo que son rebeldes, y quanto le conviene tener amigos fundados, y de no creer los que le aconsejan de fomentar tal gente y abandonar los verdaderos amigos."—Aremberg to the Archduke Albert, July $\frac{16}{26}$.

"Por nuevas me ha dicho que anteayer fué presto uno llamado Griffin Marques, que era el principal de una conspiracion hecha contra el Rey moderno de Inglaterra, de la qual eran dos clerigos . . . Pareceme que son dos conspiraciones differentes, esta y la de Cobham, pero que comunicavan juntos, segun el dicho Idonoit [?] me ha dicho ; y que todos dos proceden de discontento que ellos dizen tener del Rey, por no havellos guardado lo que les habe prometido." Aremberg to the Archduke Albert, $\frac{\text{July 28,}}{\text{Aug. 7,}}$ 1603. These extracts seem to leave no reasonable doubt that Aremberg was not cognizant of any plot against James, though he might have had conversations with Cobham on the subject of money to be given for procuring the peace. The only strong evidence, on the other hand, is Beaumont's account (King's MSS. 124, fol. 577 b) of Cobham's deposition, and his direct statement that he knew that the king had two compromising letters of Aremberg's in his hands. Unfortunately I was not able to discover any despatch of Aremberg's written after the Winchester trial.

never came amiss, and he saw in the secret of which he believed himself to be possessed, the sure means of recovering the favour which he had lost. 1603.

His wish to return to Guiana.

Raleigh accordingly appealed vehemently for help to all whom he could induce to listen to his schemes. Haddington was the first whom he called to his assistance ;* but Haddington was unable or unwilling to do anything for him. Salisbury,† to whom he next betook himself, had perhaps no wish to help in setting such a rival at liberty, and had himself lost too much money in Guiana voyages to be very sanguine of the result. It was not till after the death of the Lord Treasurer‡ that Raleigh again attempted to seize the opportunity afforded by James's resentment at the rejection of his offer for the hand of the Infanta. Writing to the Lords of the Council, he offered to fit out two vessels at his own expense. He would himself remain as a hostage in the Tower. The expedition should be entrusted to Keymis. If Keymis brought back less than half a ton of gold, he would be content to remain a prisoner for life ; if, on the other hand, he brought more, he was immediately to be set at liberty. The Spaniards were not to be attacked "except themselves shall begin the war."

1612. Raleigh proposes to send Keymis.

His offer rejected.

The proposal thus made was rejected. It may be that James was too cautious to consent to an undertaking which would have involved a risk of war with Spain. It may be that the influence of Somerset was thrown into the balance against him. But at last a gleam of hope appeared : rumours were abroad that Somerset's influence was on the wane. An appeal to Winwood was sure to go straight to the heart of that unbending hater of Spain, and Villiers, now in the hands of the enemies of Somerset and the Spanish faction, willingly gave ear to the pleadings of the captive.§

1615.

* Raleigh to Haddington, 1610 ; Edwards' *Life of Raleigh*, ii. 392.

† Raleigh to Winwood, 1615 ; Ibid. ii. 339.

‡ Raleigh to the Lords of the Council, 1612 ; Edwards, ii. 337. I accept Mr. Edwards' argument in favour of this date, to which the circumstances noticed above give additional force.

§ In the Observations on Sanderson's History, we are told that "Sir William St. John and Sir Edward Villiers procured Sir W. Raleigh's liberty and had 1500*l.* for their labour, and for 700*l.* more offered him his full pardon and liberty not to go his voyage, if he pleased." This story has been

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1616. Raleigh's release.

The voices of Winwood and Villiers were not raised in vain. The Queen, too, who in her jealousy of Somerset's influence, had shifted round to the side of those who viewed a Spanish policy with suspicion, threw her weight into the scale of the new favourite. On the 19th of March* a warrant was issued to the Lieutenant of the Tower, authorising him to permit Raleigh to go abroad in the company of a keeper to make preparations for his voyage. At last, therefore, after a confinement of little less than thirteen years, he stepped forth from his prison, with the sentence of death still hanging over his head.

Against his liberation it is impossible to say a word; but that James should have thought of sending him across the ocean to Guiana at a time when he was secretly assuring Sarmiento of his intention to abide by Somerset's policy of the Spanish alliance, is truly marvellous. To choose with Bacon or with Digby a broad ground of policy which would have raised him above the contending factions was beyond his capacity. But to intrigue with Sarmiento for the ducats of the Spanish princess was a blunder of which he did not himself recognise the full import. It always cost him much to turn a deaf ear to his favourites and his courtiers, and if he could not give up the portion of the Spanish bride in deference to the cries which sounded daily in his ears, he could at least throw a sop to Winwood and Abbot, by giving his consent to a voyage which might certainly

generally adopted by subsequent writers, some of whom speak of Sir W. St. John as nearly connected in some way with Villiers' family, probably by confusing him with Sir Oliver St. John. From Howel's letter to C. Raleigh it appears that the original story was "that Sir W. St. John made an overture to him of procuring his pardon for 1500*l.*," which is a very different thing; "but whether he could have effected it," the writer proceeds, "I doubt a little, when he had come to negotiate really." Howel, at least, did not think the money had been paid, and I suspect the story originated from some loose talk. In the political situation, no bribery was necessary to gain the ear of Villiers. Sir W. St. John appears to have been acting cordially in Raleigh's interest. Sherburn to Carleton, March 23; Chamberlain to Carleton, March 27, 1616; *S. P. Dom*, lxxvi. 100, 111.

* The letter of the Privy Council of March 19, is printed by Mr. Edwards (*Life of Raleigh*, i. 563), who has obligingly communicated to me the warrant of the same date from the Losely MSS. He has also placed in my hands the warrant upon which he had founded his statement that Raleigh's release had taken place two months previously. It appears, however, that the true date of this is Jan. 30, 1617, and it will be referred to in the proper place.

lead to mischief, but of which he at least would not have to bear the responsibility. Everybody would thus be satisfied. Suffolk and Lake would know that the marriage treaty was in progress. Winwood would know that a match had been lighted which might possibly blow the whole edifice of the Spanish treaty into the air.

Sarmiento's protest.

As soon as it was known that Raleigh was bound for the Orinoco a fierce controversy arose, the echoes of which are still sounding in our ears. Sarmiento at once protested against the voyage. The whole of Guiana, he said belonged to his master, and besides that, he did not believe that Raleigh had any intention of going to Guiana at all. When he was once across the Atlantic, he would turn pirate, and the Mexican fleet or the Spanish towns on the coast would fall a prey to his rapacity. If he was merely going in search of a mine, what need was there of such extensive preparations? The King of Spain would gladly furnish him with an escort to conduct him in safety to any spot which he might choose to name, and would finally bring him back to England with all the gold and silver that he could find. As might have been expected, Raleigh declined this obliging offer.* He stoutly declared that he had no intention of turning pirate. The mine was no fiction: it was to be found not far from the banks of the Orinoco. A visit to it would not be attended with the slightest infringement of the rights of the King of Spain; for it "did not belong to his Majesty, but was at a great distance from his territories."†

Raleigh's language about the mine.

No doubt such language was not incompatible with the assertion, made by Raleigh after his return, that all Guiana belonged to the King of England by virtue of the cession made by the natives in 1595; but as it is impossible to find a trace of any such theory in his language before he set out, or of the resistance which it would

* *Raleigh's Apology.*

† He said "que él con sus deudos y amigos haria una armada y iria á la Guiana junto al Rio Arenoco, donde dezia que avia una mina de oro que no se avia descubierto por nadie, ni era de su Majestad, antes muy distante de tierras suyas."—Minutes of Sarmiento's Despatch, $\frac{\text{Aug. } 23}{\text{Sept. } 2}$. *Simancas MSS.* Est. 2850.

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1616.

Tenure by occupation.

inevitably have provoked, it is well to examine whether his words can be justified by other considerations.

The fact was that James, when left to a sober consideration of the matter, was not likely to accept either the extreme view that all Guiana belonged to England, or the extreme view that all America belonged to Spain. For he had always maintained consistently that occupancy alone gave dominion in America, and he had never, for an instant, acknowledged the claim put forward by Spain to exclusive sovereignty in the Indies. He had, therefore, without difficulty, granted charters to the colonists of Virginia, and had given permission for the formation of an English settlement in that part of Guiana which lies to the eastward of the Essequibo.

But it was one thing to assert a right to colonise unoccupied land; it was another thing to decide what land was really unoccupied. What it was that constituted occupancy was the very question upon which no two Governments were agreed, and upon which the opinion of every Government varied * in proportion as it expected to profit by a strict or a lax interpretation of certain rules of the old Roman law, that is to say, of rules which had been sensible enough, as long as they were applied to the case of a man who picked up a piece of gold in a forest, but which were utterly inapplicable to the acquisition of large tracts of territory.† If James did not choose to adopt the old maritime theory of "no peace beyond the line," or to base his claim to Guiana on the cession by the Indians, in 1595, it was surely his duty to come to some resolution on this knotty point. If the occupancy of a settlement made the ground which it covered the property of the colonists, how far did their rights extend? Was it to a distance of three miles, or of thirty, or of three hundred? The details of the expedition might safely be left to the commander, but it was the business

* Thus James, who had authorised the Essequibo settlement, remonstrated with the Dutch for establishing a factory at the mouth of the Hudson, though, at the time, there were no English nearer than Jamestown.

† Maine's *Ancient Law*, 248.

of the Government to lay down the principles on which he would be judged on his return.*

Inexpediency of the voyage.

But whatever difficulty there may have been in determining the question of right, there ought not to have been the slightest doubt that, on the simple ground of expediency, it was James's duty to set his face decidedly against the projected expedition. Since Raleigh's first visit to Guiana, an event had occurred affecting the whole colonial policy of England. In 1595, the arrogant pretensions of Spain to dominion over the vast regions which stretched from the Straits of Magellan to the Arctic Seas had not been overthrown. In combating this preposterous theory, it was a matter of indifference whether the right of England to a share in the Western Continent were asserted on the banks of the Orinoco or on the banks of the St. Lawrence. But, in 1616, the claim of Spain had practically broken down. Virginia had been colonised. It had, therefore, become the duty of an English statesman to foster the seed which had been nurtured in the face of every obstacle, rather than to sprinkle broadcast over the two Continents an indefinite number of colonies, all of them too weak to stand without incessant aid from the mother country. For whatever temptation might be lurking in the promise of the golden mine, it was certain that the farther the two nations could be kept apart, the better it would be for both of them.

Commission given to Raleigh.

Such considerations, however, were far from the mind of James. As usual, he was only looking about for the easiest way out of the difficulty. On the one hand, Sarmiento protested that a war with Spain would be the inevitable result of the voyage. On the other hand, the friends of Raleigh at Court—and they were neither few nor without influence—protested no less loudly that it would be folly to throw away such an opportunity of benefiting the nation and filling the Exchequer. James was unwilling either to take the trouble of forming an

* In fact, I suppose, sovereignty over new colonial territory can only rest upon the tacit or expressed consent of colonising nations. Native cession is a mere farce: and, if actual occupation is necessary, there is nothing to prevent the French from hoisting their flag at almost any spot in Northern Australia.

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opinion for himself, or to give offence by deciding the question one way or the other. He was a man, as a keen observer afterwards remarked, "very quick-sighted in discerning difficulties, and very slow in mastering them, and untying the knots which he had made."* He was, therefore, only confirmed in his original resolution. He would throw the whole responsibility on Raleigh; and Raleigh had plainly stated that he had no intention of injuring a single Spaniard in the Indies. Accordingly, on the 26th of August, James issued a commission to Raleigh, by which he gave him authority to take command of the expedition, from which the ordinary words implying the royal grace and favour had been sedulously erased,† and in which he was expressly stated to be "under the peril of the law," and it was as such that he was authorised to visit those territories only which were not under the dominion of any Christian prince.‡ The meaning of this was plain. James would wash his hands of the whole matter. Raleigh had declared that the mine of which he was in search was not within the territories of Philip. If he had chosen to tell a lie, let him take the consequences. That there might be no mistake, he was called upon to give security that he would not hurt any subjects of the King of Spain, and was plainly given to understand that, if these orders were transgressed, he would pay the penalty with his head.§

Both Raleigh and James at fault.

Such was the miserable compact by which Raleigh and James attempted to close their eyes to the future. Yet,

* Clarendon, ed. 1849, i. 16.

† Edwards, i. 591.

‡ Rymer's *Fœdera*, xvi. 789.

§ "Escrive el Conde de Gondomar que aquel Rey le avia asegurado que no saldria Gualtero sin dar seguridad de que no haria daño á ningun vasallo de su Magestad."—Minutes of Sarmiento's despatch, Oct. $\frac{2}{12}$, 1616. *Simancas MSS.* Est. 2850. Four months later Winwood assured the Venetian ambassador "che era ferma mente del Rè che il Ralè andasse il suo viaggio, nel quale, se avesse contravenuto alle sue instruttioni che li sono stati dati, aveva la testa con che pagharebbe la disubbidienza."—Lionello to the Doge, $\frac{\text{Jan. 31,}}{\text{Feb. 10}}$ 1617. Winwood's name is important, as we can be sure that Raleigh knew what he knew, and with this falls to the ground the whole fabric of the theory that Raleigh sailed in ignorance that an attack on Spaniards would bring him to the scaffold.

if both were to blame, it is upon the memory of James that the heaviest load has weighed. He had refused, in gross dereliction of duty, to investigate the conditions under which the voyage was to be made. He would not touch that burden with his little finger. For him there was to be everything to gain. For Raleigh there was to be everything to lose.

If Raleigh's fault, too, was great, so was his temptation. Behind him was the gloomy monotony of his prison-house. Before him was the free life upon the seas, the joys of active enterprise, the chance of riches and glory. Would not success cover all faults that he might commit?

It can hardly be maintained that Raleigh did not look forward to a combat with the Spaniards as at least a very probable contingency. But it is not necessary to suppose that he regarded it as a certainty. For he had every reason to believe that no Spanish settlement would be reached at any point lower than the mouth of the Coroni, and as the mine which had been pointed out to Keymis was situated some miles before the junction of the rivers was reached, he had no difficulty in coming to the conclusion that it would be possible to reach the spot without a conflict with the Spaniards. For it might well happen that the settlers at San Thome would hear nothing of his arrival for some little time; and, even if they did, they would hardly be rash enough to make an unprovoked attack upon superior numbers. He would thus be enabled to complete his search without molestation, though it was unlikely that he would be allowed to enter upon any permanent operations. So much, no doubt, he was willing to leave to chance.*

* It is curious that none of Raleigh's biographers have seen the importance of fixing the locality of the mine. There can be no doubt that it was the same which had been pointed out to Keymis, in 1595, by the Indian guide, and not the place at the mouth of the Coroni where Raleigh picked up specimens. It is of the former that Keymis speaks, on Indian authority, as being "of all others, the richest and most plentiful." Every indication points to the mine for which Raleigh was looking as being some way below the junction of the rivers. Berreo's town he describes as being two leagues to the westward of, *i. e.*, above the mine (Raleigh to Keymis; Cayley ii. 125). In another place he says the mine is just past the mountain of Aio, which will be found on Sir R. Schomburgk's map some way below the junction. It

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All this time Raleigh's preparations were going bravely on. He had called in the 8000*l.* which had been lying

is perhaps worth noticing that in a chart preserved at Simancas, which had once belonged to Raleigh, the only object on land marked is a mountain about half way between the head of the Delta and the mouth of the Coroni. It is evidently put in so as to catch the eye, and I have little doubt that it was inserted in order to direct the attention of those who were in the secret to the position of the mine. Wilson, too, in his history, speaks of the mine as being known only to Keymis: and Howe, in his continuation of Stowe, says that Raleigh's mine was one "which himself and one Captain Keymis had discovered by the information of the Indians." More conclusive still is the reference in *News of Sir Walter Raleigh*, published in 1618, to "a wonderful great mine" pointed out by Putijma, the Indian guide, who accompanied Keymis in his walk in 1595.

Another most important question relates to the position of San Thome. It is acknowledged by all that it was founded in 1591 or 1592, at the mouth of the Coroni, (Fray Simon, *Setima Noticia*, x. 1.), that it had been abandoned in 1595, and that in 1618 it was found considerably lower down the stream, at the spot now known as Guayana Vieja; but it seems to have been taken for granted that the removal took place either at Berreo's return in 1595, after Raleigh left the river, or, at all events, early enough for the fact to have been known in England in 1616; yet it is evident from Keymis's narrative of his voyage in 1596, that, at that time, the Spanish settlement had returned to its old position near the mouth of the Coroni. As to the time of the change no help is to be got from Fray Simon, who, as Sir R. Schomburgk pointed out, fancied that the town was at the mouth of the Coroni, even in 1618, though his own narrative contradicts the supposition. But the whole of the evidence upon Raleigh's voyage is unintelligible unless it is admitted that he knew nothing of the change of site when he sailed from England in 1617. In a letter written after his return (Raleigh to the King, Sept. 24, 1618. Edwards, ii. 368), he speaks of the town as "newly set up within three miles of the mine." More conclusive is the letter to Keymis, written before the boats started for the ascent of the river, "I do therefore," writes Raleigh, "advise you to suffer the captains and the companies of the English to pass up to the westward of the mountain of Aio, from whence you have less" [not "no less" as usually printed], "than three miles to the mine, and to lodge and encamp between the Spanish town and you, if there be any town near it." If Raleigh had known of the existence of the town where Keymis found it, that is to say, before the mine was reached, he could not possibly have used this language. Besides the order which he gave to Keymis to throw out a covering party to protect the workers from the Spaniards presupposes that he expected them to appear from the west. The same idea, too, appears in his fear lest the approach of the boats as they passed up the river should be betrayed by an Indian lurking on the banks. If the boats had to pass the town the inhabitants would have seen them with their own eyes. So, too, a passage in a letter, written in England in February, 1618, shows that when Raleigh sailed there was no general belief that he would find the Orinoco guarded by Spaniards. "Captain Peter Alley," says the writer, "a two days since arrived from Guiana. He left Sir Walter anchored (I suppose) in his wished haven, from whence advancing higher, *to his greater wonder*, he found the Spaniards all alongst the river."—Lovelace to Carleton, Feb. 10, 1616. *S. P. Dom.* xcvi. 10.

I believe, therefore, that Raleigh expected to find the mine at a little distance from the right bank of the river, and that he had no reason to believe that there was any Spanish settlement short of a spot at the mouth of the Coroni, several miles farther on.

In the King's declaration, written by Bacon, it is said that the mine was

1616. Raleigh's preparations.

at interest ever since he had received it as part of the compensation for the Sherborne estate. Lady Raleigh had raised 2500*l.* by the sale of some lands at Mitcham. 5000*l.* more were brought together by various expedients, and 15,000*l.* were contributed by Raleigh's friends, who looked upon his enterprise much as men at the present day would regard a promising but rather hazardous investment.*

As far as the shipping was concerned, no obstacles were to be apprehended. The splendid new vessel in which Raleigh was himself to sail, and which was appropriately named the Destiny, was rapidly approaching completion. But it soon appeared that there would be a difficulty in manning the fleet with suitable crews. The mariners who had followed Raleigh to victory in former days hung back. It was known that he was no longer in favour with the King, and it was, perhaps, suspected that there was little to be gained in following a commander who was liable at any moment to be hurried to the scaffold. He was obliged to look on with sorrow whilst his ships were manned with crews which, if they were not, as he afterwards called them in the bitterness of his heart, "the scum of men," were far inferior to those gallant bands which had gathered round him in the days of his prosperity.†

His dissatisfaction.

And so, chafing as he was under the treatment which he was receiving, rash thoughts took possession of his mind. Even if he had ever intended to conform strictly

moveable, for that which was said to be three miles short of San Thome, was afterwards sought beyond it. Bacon saw the discrepancy, but did not, I think, hit upon the right explanation. It was the town that was moveable, not the mine.

Since this note was written Mr. Edwards has argued that the change of site must have been more recent than is generally supposed; but he thinks that "the Englishmen must needs have heard" of the removal, though "their knowledge of the altered geography of the place was very slight."—*Life of Ralegh*, i. 619. It seems to me that the arguments adduced above lead to a still stronger conclusion.

* The seven hundred crowns paid by the King towards the building of the Destiny was simply the statutable bounty on ship building, and is not to be taken as a mark of special favour.

† For a discussion on the authenticity of the story of Bacon's alleged conversation with Raleigh, telling him that the commission was equal to a pardon—see Napier, *Sir W. Raleigh*, 235. If it had really occurred, Raleigh would surely have appealed to it in his Apology. Besides, both Bacon and Raleigh knew perfectly well on what terms the voyage was undertaken.

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to his engagements, his head was now running upon wilder fancies. It might be, no doubt, that if he could elude the vigilance of the Spaniards, he might succeed, without shedding blood, in bringing back evidence of the existence of the mine, and might thus overpower James's aversion to his wider schemes of colonisation and conquest. But he knew perfectly well that the chances were terribly against him, and that if a single Spaniard lost his life in the affray, nothing short of the most splendid success would avail him to overcome the King's reluctance to be dragged into a war of which he disapproved. The real thoughts of the man began to ooze out in his conversation. One day, in talking with Bacon, he said something about seizing the Mexican fleet. "But," replied the astonished Attorney-General, "that would be piracy." "Oh no," was Raleigh's ready answer; "did you ever hear of men who are pirates for millions? They who aim at small things are pirates."* No doubt this may have been said partly out of bravado, partly, perhaps, to see how the notion would be received. But whatever Bacon may have thought of the matter, Raleigh would never have allowed that an attack upon a Spanish fleet in the Indies was unlawful, in the sense in which it was unlawful to sail into Lisbon or Dieppe with hostile intent in time of peace. He had been educated in the school of the Hawkins's and the Drakes; and, if he had engaged to sail under other conditions, the new principles had never been accepted by him as having any weight of their own. The Mexican fleet would probably carry on board the value of two or three millions sterling in solid gold and silver.† If he could bring but a tithe of this into Plymouth Sound, would James be so very anxious to repudiate the maxim of "no peace beyond the line?"

The Mexico fleet.

* In a paper in the *Gentleman's Magazine* (April, 1858), Mr. Spedding has shown that the conversation must have taken place before the voyage. Mr. Edwards has adopted the same opinion (i. 591); but places it before the grant of the commission. It is certainly more likely that he would then be brought into contact with Bacon, but, on the other hand, it does not seem probable that even Raleigh would have spoken in this rash way as long as he was hoping for a full pardon.

† The fleet of 1618, the year in which Raleigh was in the Indies, brought the value of 2,545,454*l.*—*S. P. Spain.*

Raleigh and his friends must have felt that their chance of bringing about a breach with Spain was even less hopeful than it had been six months before. In the summer, whilst Raleigh's commission was still under discussion, Hay's mission to Paris had been used to break off the negotiation for the French alliance. It was, probably, not generally known, that on the 17th of July the King had taken Sarmiento by the hand, at a private audience, and had assured him of his readiness to give all possible satisfaction to Spain, in matters of religion; or that Villiers, turning round upon his old associates who had borne him to power, had told the Spaniard that he wished nothing so much as to see the marriage accomplished, and that he was ready to build his fortunes upon the basis of the Spanish alliance.* But neither James nor his favourite were distinguished for reticence, and it is hardly likely that their sentiments would be long concealed. It was, therefore, only natural that Raleigh should be looking about for an opportunity of weaning the King's mind from a policy which he regarded as at the same time disastrous to his country, and ruinous to himself.

Progress of the alliance with Spain.

Before the year came to an end, that opportunity seemed to have arrived. In 1615, the war which had for some time been raging between Spain and the turbulent Duke of Savoy, had been brought to an end by the treaty of Asti. But though the government at Madrid did not venture to question the obligations into which their representative at Milan had entered in their name, Philip and his ministers were deeply wounded by the necessity of treating with so insignificant a potentate on a footing of equality. The Marquis of Inojosa, by whom the treaty had been signed, was recalled, and Pedro de Toledo, a hot-headed youth, was appointed to succeed him. The new governor had no sooner arrived at Milan, than he openly violated the agreement to which he was bound by the acts of his predecessor. A mutual disarmament had been expressly stipulated, but on various pretexts Spanish troops were kept on foot in the Milanese, and

The war in Piedmont.

* Francisco de Jesus, 15.

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the Duke's demands for the execution of the treaty were met with haughty insolence *. In the autumn of 1616, hostilities had broken out afresh, and Charles Emmanuel was looking to France and England for help.

Attitude of the French government.

In France the government was little disposed to render him assistance. The Queen Mother and her favourite Concini leaned for support upon Spain. But the Protestants and the warlike aristocracy of either creed were ready to fly to his aid; and the volunteers, who poured over the Alps, were sufficient to enable him to make head against his powerful adversary.

James takes the part of Savoy.

At the same time that the Duke was receiving aid from the French nobility, he despatched the Count of Scarnafissi to England, to ask for his assistance. James, who had the year before sent him 15,000*l.*, out of his almost empty exchequer,† and who, in spite of all that had passed, had no wish to see the Spaniards over-running the territories of their neighbours, was anxious to do what he could to help him. If there was one thing more than another upon which he prided himself, it was upon his assumed position as the peace-maker of Europe. All at once he grew cold in his effusive demonstrations of friendship for Spain. It was rumoured that obstacles had arisen in the way of the marriage treaty, and hopes were held out to the Savoyard that a subsidy of 10,000*l.* a month would be granted to his master. To Lionello, the Venetian ambassador, James went so far as to express his readiness to join a league with Venice, Savoy, Holland, and the German Protestants. He was under obligations, he said, to assist the Duke, if the Spaniards refused to fulfil the conditions of the treaty of Asti. He had applied to Sarmiento to know what his master intended to do, and he was now waiting for an answer.‡ Nor did James confine himself to conversations with the Spanish ambas-

Mission of Lord Roos.

sador. Lord Roos, the grandson of the Earl of Exeter, had been already despatched on a special mission to Ma-

* Wake to Lake, Nov. $\frac{6}{6}$, 1612. *S. P. Savoy.*

† Edmondes to Winwood, April 14, 1615. *S. P. France.*

‡ Lionello to the Doge, Dec. $\frac{19}{29}$, 1616, $\frac{\text{Dec. } 26}{\text{Jan. } 5}$, 161$\frac{6}{7}$. *Venice MSS.* Desp. Ingh.

drid, ostensibly to gratify Philip on his recent marriages of his children, but in reality to plead the cause of the Duke of Savoy.* CH. I. 1616.

With all that was passing in James's mind Raleigh was doubtless well acquainted through his friend Winwood. He did not lose a minute in seizing the chance thus presented to him. He knew well that if there was one hope dearer than another to the heart of the Savoyard prince, it was the hope of becoming master of Genoa. That great city, once the not unworthy rival of Venice for the commerce of the Mediterranean, had now become a community of money-lenders, always ready to place its wealth at the disposal of the needy government of Spain. This very winter the bank of St. George had agreed to advance to the Spanish government a sum equivalent to more than a million pounds sterling†; and there was little doubt that a large part of this loan would be placed at the disposal of the governor of Milan. Nor was it only with her gold that Genoa gave support to Spain. Her noble harbour was always ready to receive his vessels, and it was there, that, under cover of the neutrality of the republic, the troops were disembarked which were afterwards to be used against the Duke of Savoy. Raleigh's proposed attack upon Genoa.

Knowing these things, Raleigh sent a message to Scarnafissi, suggesting that it would be well, if the consent of James could be obtained, to make preparations to strike a blow against Genoa. His own ships would be ready to carry out the scheme, if his Majesty would add four vessels from the royal navy, and if they could be assisted by others from Holland and France. He was so well informed of the state of the defences of Genoa, that he had little doubt of taking the city by surprise. If, however, this should fail, his forces would be sufficient to lay siege to it with every prospect of success.‡

Scarnafissi was delighted, and the proposal was at 1617.

* Cottington to Carleton, Nov. 8, 1616. *S. P. Spain.*

† Cottington to Winwood, Dec. 10. *S. P. Spain.*

‡ The whole of our knowledge of this affair is derived from those letters discovered by Mr. Rawdon Brown, and published by MM. Ceresole and Fulin, in their Italian translation of the preface to the first volume of his Calendar of the Venetian State Papers. Mr. Edwards has since republished them in his *Life of Ralegh.*

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1617. January. Accepted by James.

once carried to the King. He at least had no objection to raise against the violation of a neutrality which was only a neutrality in name, and he promised to take the affair into consideration. The interview with the King apparently took place early in January. On the 12th, James told Scarnafissi to consult with Winwood and Edmondes, by whom he was required to show, in the first place, that the enterprise was not too difficult; and, in the second place, that his master would not take possession of the whole of the booty for himself. Against the imputation contained in the latter question, Scarnafissi protested warmly, and suggested that if James wished to secure his proper share, he had better send a force large enough to defy opposition. With this Edmondes and Winwood were completely satisfied, and talked of arming no less than sixteen of the royal ships to accompany Raleigh's squadron. Raleigh, they said, was eager "to attack the Spaniards wherever he could, and to spare neither his coasts, his lands, or his vessels, or anything else that depended on Spain, or where he could hope for gain."

And finally abandoned.

A few days afterwards the negotiation was broken off. Scarnafissi was told that the King wished well to his master, but that he could not divert Raleigh from his voyage to Guiana. On the 30th of January Raleigh was finally released from the restrictions placed upon him nine months before. He might now go where he would without the attendance of a keeper. He was a free, but not a pardoned man.*

The Venetian ambassador, who had heard the story from Scarnafissi, attributed this sudden change of purpose partly to James's unwillingness to break with Spain, and partly to his distrust of Raleigh, who might be expected to carry off the whole of the booty himself†. Such thoughts may very probably have entered into James's

* Warrant, Jan. 30, 1617.—*Losely MSS.* Communicated by Mr. Edwards.

† Lionello to the Council of Ten, Jan. $\frac{9, 16}{19, 26}$, $\frac{\text{Jan. } 24}{\text{Feb. } 3}$, Edwards, i. 579. Mr. Edwards thinks the plan originated with Scarnafissi. Lionello's language is perhaps not quite plain; but I believe he meant to speak of the idea as originating with Raleigh. The question is of no practical importance, as Raleigh certainly took it up warmly before it was communicated to James or Winwood.

1617. January.

mind. But it is only fair to remember that at the time when the plan was finally rejected, intelligence had reached England which made it appear likely that the quarrel between Spain and Savoy would be settled by amicable negotiation *, and that his information must have appeared of the greater value, as it coincided with assurances from Madrid of the pacific intentions of the Spanish government †. The news thus received proved correct, and peace was finally concluded in the following September.

February. Progress of the negotiations for the marriage.

The effect of this sudden change of policy was felt upon the negotiations for the marriage. Sarmiento's assurances were again listened to with approbation, ‡ and James now talked of sending Digby to Madrid, formally to discuss the terms of the treaty.

Raleigh and the French Protestants.

It was a terrible blow for Raleigh. But his busy brain quickly turned in another direction. He had not been speaking at random when he proposed to include French vessels in the fleet which was to swoop down upon Genoa. He had long been in close communication with the leaders of the French Protestants. Already, before he left the Tower, a proposal had been made to him by one of them that, as soon as he could procure his freedom, he should collect six or seven ships to join in an attack upon the Mexico fleet. § Others were now urging him to steer for the coast of France, and to occupy St. Valery, there to support the rebellion which they projected against the authority of the Queen Mother. Nor were there wanting voices at home to urge Raleigh along the evil path on which he was too willing to be guided. Winwood, there can be little doubt, was urging him to break the peace at all hazards, and to fall upon the Mexico fleet as the best means, if all others failed, of bringing the King to a rupture with Spain. ‖

* Lionello to the Doge, $\frac{\text{Jan. } 24}{\text{Feb. } 3}$, *Venice MSS.* Desp. Ingh. This despatch was written on the same day as the more secret one containing the notice of the King's rejection of the plan.

† Cottington to Lake, Jan. 10. *S. P. Spain.*

‡ Salvetti, *News Letter*, March $\frac{6}{16}$.

§ This is from Raleigh's own confession. Wilson to the King, Oct. 1618. *S. P. Dom.* ciii. 16.

‖ In his News Letter of $\frac{\text{June } 25}{\text{July } 5}$, 1618, Salvetti writes that the King had

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1617. March. Desmarets' visit to Raleigh.

Meanwhile the French ambassador, Desmarets, had kept his eye upon Raleigh. In January he seems to have had information of the proposed attack upon St. Valery, or at least to have had a suspicion that the expedition to Guiana might end in a sudden raid upon the coast of France. On the 7th of March he informed his government that he had visited the Admiral on board the Destiny, in the hope of being able to discover what his intentions were. Raleigh, he said, had broken out into bitter complaints against the King, had spoken of his own attachment to France, and had ended by requesting a more private interview, in order that he might communicate to him a secret of importance.

Desmarets appears to have taken no further trouble about the matter, as soon as he had discovered that the French coast was safe from attack. On the 21st of March, a fortnight after his visit to the ship, he wrote home that he had been too busy to find time to see Raleigh again *, and it was only on the 14th of April, long after the Destiny had left the Thames, that he wrote again to say that Raleigh had assured him that, "seeing himself so evilly and tyrannically treated by his own King, he had made up his mind, if God sent him good success, to leave his country, and to make the King of France the first offer of whatever might fall under his power."†

In his public despatch, Desmarets contented himself with saying that he had given good words to Raleigh in

promised to punish the delinquents, " fra quali su segretario di stato Winwood, se fosse vivo, andarebbe a risico d'essere ritrovato principale :—credendosi per certo che, como partigiano delli Hollandesi, et a loro persuasioni havesse indotto il Raliè a fare questi insulti per provocare i Spagnoli a rompere la pace con questa Corona." Contarini is still more explicit :—" Nella inquisitione diligente che si è fatta per venir all' espeditione di Ser Vat Ralè, ha egli spontanamente confessato che quando parti per l'Indie Occidentali, fosse stato da alcuni principali ministri et signori del consiglio poco inclinati a Spagna et alienissimi da vedere l'allianza con quella Corona, fra quali ha nominato il già morto Secretario Vinut, consigliato e persuaso abbracciare ogni occasione di attaccare le flotte, o li Stati del Rè Catolico, da che ne nascesse non solo diffidenza tra queste dice Corone, ma anco causa di rottura."—Contarini to the Doge, Oct. $\frac{16}{26}$, 1618. *Venice MSS.* Desp. Ingh.

* Desmarets to Richelieu, Jan. $\frac{2}{12}$, March $\frac{7}{17}$, $\frac{21}{31}$, Bibl. Imp. *MSS. Dupuy*, 420, fol. 2 b.

† Quoted from the Despatch of April $\frac{14}{24}$, by Mr. Edwards. *Life of Ralegh*, i. 595, note.

return. But there is reason to believe that he was cognisant of a message sent at this time by Raleigh through a Frenchman named Faige, to Montmorency, the Admiral of France, in order to beg his assistance in obtaining from Louis permission to take refuge in a French port upon his return.* 1617. March.

Sarmiento's renewed protests.

And now, just as the Destiny was ready to drop down the river, Sarmiento made a last attempt to stop the expedition. It would have been well both for Raleigh and for James if he had succeeded. But it was not so to be. James, indeed, was struck with Sarmiento's reasoning, for he knew perfectly well that the Spaniards would fall upon Raleigh wherever they could find him; and by this time he must have been able to form a pretty shrewd guess at Raleigh's real opinions on the doctrine of "no peace beyond the line."

Yet, even if James had been inclined to throw obstacles in the way of the voyage, there were those around him who would not suffer him to do it. For, careless as he was of the public opinion which found expression in the House of Commons, he was extremely sensitive to the opinion of those amongst whom his daily life was passed, and he knew that many of them were Raleigh's warmest partisans. He told Sarmiento that if he stopped the expedition now, the whole nation would cry out against him. All that he could do was to lay the case before the Council.

The Council was accordingly summoned. But, as James

* Contarini in his despatch of Oct. $\frac{16}{26}$, 1618, distinctly states, that Raleigh confessed having from Desmarets a promise of permission to take refuge in France. "Essendole promesso de M. de Maretz .... non solo la sicurezza di potersi retirare in Francia, ma la protettione et favore in ogni bisogno del Christianissimo." Salvetti speaks of it as being known that Le Clerc the French Agent, after Desmarets' departure, and La Chesnaye, the Interpreter of the Embassy, "havessero negoziato col Cavalier Raliè avanti che facesse il suo viaggio di Guiana per farli fare quel que fece." Salvetti's *News-Letter*, October $\frac{2}{12}$, 1618. One of the questions put to La Chesnaye was:—"Is it true that through the influence of the last ambassador of France in England, Raleigh had a commission from the Most Christian King, or from his Admiral, to go to sea?" "Examination of La Chesnaye, St. John's *Life of Raleigh*, ii. 315." On the other hand, Raleigh denied on the scaffold having any intelligence with the French King, or his Ambassador or Agent (Edwards, i. 700). But he would probably not consider mere knowledge of this message as intelligence, Desmarets not being a principal party. Raleigh's own confession will be quoted further on, when I come to speak of Montmorency's commission.

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had expected, Raleigh's supporters mustered strongly. They advised the King on no account to stop the expedition, and some who were present offered to give security that Raleigh would refrain from any attack upon Spanish territories. Winwood was accordingly ordered to wait upon Sarmiento, and to place in his hand a letter * written by Raleigh, in which he stated that he was really bound for Guiana, and that he would not commit outrages or spoils on the subjects of the King of Spain. At the same time Winwood handed over to him a list of the vessels of which the fleet was composed.†

Was Raleigh betrayed?

As is well known, Raleigh afterwards stigmatised this as a betrayal of his confidence.‡ It is difficult for impartial persons to regard it in any such light. For there was nothing in the papers placed in Gondomar's hands which was not perfectly well known to him already. The number of Raleigh's vessels was ascertainable by anyone who chose to take the trouble to make the necessary inquiries at London or Plymouth; and that the expedition was bound for a mine on the Orinoco was only what Raleigh had been reiterating for the last twelve months. Gondomar believed these assertions to be false; and all that he had now gained was that he had forced Raleigh to repeat them in a more solemn form. In point of fact, the first warning was despatched from Madrid to the Indies some weeks before Winwood's interview with Sarmiento, though

* That James was influenced by popular clamour is plainly stated in the King's declaration, and receives full confirmation from Sarmiento's despatches, as does the story of the letter from Winwood. I may here say that I cannot pass over the Declaration in so cavalier a manner as it is customary to do. It was Bacon's production, and I for one, do not believe that Bacon would purposely introduce false statements into such a document as this. He had before him a great mass of evidence which is now lost, and though I think he was led astray on the question of Raleigh's belief in the existence of the mine, it is impossible to deny, that whenever a piece of fresh evidence turns up, it confirms the accuracy of his statements.

† After the meeting of the Privy Council, "aviendose platicado en esta materia (por los muchos valedores que tenia Gualtero) se acordó que antes de su partida diesse fianças de que no ponia pie en tierra que estuviesse por de V. Mag^{d}., ni haria á vasallos de V. Mag^{d}. el menor daño del mundo." "Minutes of Sarmiento's despatches, March $\frac{20}{30}$, &c." *Simancas MSS.* Est. 2514. Buckingham to Winwood, March 28th. Cayley, ii. 104. Compare the language of the minutes with the King's declaration, which thus receives an unexpected vindication.

‡ Carew Raleigh told Howel that James had promised his father to keep his secret. But Raleigh himself says nothing of the kind.

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it is true that more pressing orders were afterwards added. But so little weight did the ambassador attribute to the information which he had received, that in a letter which he wrote three months afterwards, he said that he could not tell what Raleigh's course had been, and that many persons supposed that he was bound for the East Indies, and would not go to Guiana at all.*

Arundel's visit to the Destiny.

Even amongst Raleigh's supporters there were not wanting some, who feared that he intended to play them false. Just as the Destiny was ready to leave the Thames, Arundel came on board, and taking the Admiral by the hand, asked him to give his word that, whether his voyage turned out well or ill, he would come back to England. Raleigh, fresh from his intrigue with the French Ambassador solemnly declared that he would do so.

Raleigh leaves London.

On the 29th of March, Raleigh left London to join his ship at Dover, to start on an expedition which could hardly end well either for himself or for his country. With the usual inconsistency of a weak man, James had attempted to atone for his rashness in one direction by still greater rashness in another. If he had given ear so easily to those who were recommending to his favour an enterprise which meant nothing if it did not mean hostility to Spain, it was doubtless because he was at that very moment knitting more closely than ever the detested ties which bound him to the Spanish Monarchy. For it was during those very days in which Raleigh was completing the preparations for his voyage, that James made the first public declaration on the subject of the marriage.

In order to open formal negotiations with decency, it

* Gondomar to Philip III., June $\frac{16}{26}$, 1617. *Simancas MSS.* Est. 2572. Cottington's Despatches from Madrid show plainly what the Spaniards were afraid of. "The going of Sir W. Raleigh to sea," he writes, "is here extremely ill taken: . . . . the truth is, they fear that Sir W. Raleigh, failing of the gold he pretends to find, may (considering his strength) prove a dangerous infester of the coast of their Indies, where doubtless, he shall find very poor resistance." Again, in another letter, "I answer them, that without doubt the thing in itself is lawful;" yet, "I perceive they are so much nettled with it, (not that they think Sir W. Raleigh will find any gold in Guiana, but that, missing it, he will commit some outrages in the coast of their Indies to repair the charge,) as they intend to move some treaty for the prevention of the like or worse hereafter." Cottington to Winwood, April 26. Cottington to Lake, April 26, 1617. *S. P. Spain.*

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1617. March. The Commissioners on the marriage.

was necessary to obtain at least the ostensible concurrence of some independent body. Accordingly a commission of the Privy Council was summoned on the 2nd of March, to advise the King on the subject. The names of the commissioners, Bacon, Lennox, Suffolk, Arundel, Pembroke, Fenton,* Wotton,† Lake, Digby, and Villiers, who had recently been created Earl of Buckingham, display a preponderance of feeling on the Spanish side; but they, nevertheless, show that every shade of opinion excepting that of the extreme war party was represented.

Before such a body as this, therefore, James did not venture to lay the whole question of the marriage. Philip, he said, had assured him that he would not require him to desert his Continental allies, and Lerma and Sarmiento had declared that, not only would no demand be made for the conversion of the Prince, but that they did not expect "any liberty or toleration for his subjects, nor other course in matter of religion which might be displeasing to his subjects."‡

James must have been sanguine indeed, if he fancied that such honeyed words expressed the ultimate determination of the Spanish Court. But he probably thought that he should be able to make his own terms by playing off the King of Spain and the House of Commons against one another.§ For the fears which had driven him three

* Who, as Sir J. Erskine, had succeeded Raleigh as Captain of the Guard. He is described by Sarmiento as a moderate Protestant, whose wife had lately become a Catholic.

† Lord Wotton, Sir Henry's elder brother. He afterwards became a Catholic.

‡ King's speech. *Harl. MSS.* 1323, fol. 263. At first I was inclined to set down these words as intended by the King to deceive the Commissioners. But the instructions which he gave to Digby soon afterwards show that James really expected the Spaniards to agree to terms which would not involve any considerable concessions, and the sudden eagerness for the marriage which seems to have sprung up after the relinquishment of the Genoa scheme, and which was noted by Salvetti in his letter of March $\frac{6}{16}$, is perhaps best to be explained by supposing that Sarmiento, probably without committing himself, held out hopes that his Government would be satisfied with James's promise to connive at the breach of the penal laws. This was what had been put in force for some months after James's accession without provoking any outburst of ill feeling in England, and he could, therefore, say with probability that it would not be displeasing to his subjects generally. I hope to return to the subject in my preface to the Narrative of Francisco de Jesus.

§ Something of this kind was suggested towards the end of 1615, by

years before into Sarmiento's arms had now passed away. Parliament had been dissolved, and the quiet surface of English life had scarcely been ruffled for an instant. He no longer needed the support of Philip's influence with the English Catholics. But he was still in want of Philip's purse. If the King of Spain would give him his daughter, and with her a portion of 600,000*l.*, all would be well. If his debts were once paid, or likely to be paid, the opposition in the Lower House would be comparatively harmless. If, on the other hand, he became desirous for any reason of breaking off the match, he would be sure of large subsidies as a bribe to encourage him to persevere in so popular a course.

Such reasoning as this was not fit to be laid before the Commissioners. Nor was he likely to ask their advice on the all-important question of the extent to which

Bacon in a most valuable paper (Inner Temple Library, *Petyt MSS.* vol. 37), a knowledge of which I owe to the kindness of Mr. Spedding. In this he advises that a supply should be sought from Parliament by "the opinion of some great offer for a marriage of the Prince with Spain; not that I shall easily advise that that should be really effected, but I say the opinion of it may have singular use, both because it will easily be believed that the offer may be so great from that hand as may at once free the King's estate; and chiefly, because it will be a notable attraction to the Parliament that hates the Spaniard, to do for the King, as his state may not force him to fall upon that condition." James seems to have preferred using the Parliament as a terror to the King of Spain, though he had, perhaps, not altogether abandoned the idea of reversing the process. "I thought," writes Digby, soon after his arrival in Spain, "it would conduce more properly unto your Majesty's intentions, which your Majesty may remember, you signified unto me were to have the treaty of this match to go jointly together, with the calling of a Parliament, for that otherwise" the King of Spain "seeing the treaty with France broken, and your Majesty out of necessity, as it were, cast upon him, would thereupon stand on the stricter conditions; whereas, otherwise, if he shall find or be persuaded that your Majesty is likely to be diverted from this match by the offers of your people, it is very probable he will restrain himself to more moderate demands. So likewise, on the other side, if the Parliament should see your Majesty in want or necessity, without any hope or other means of relieving yourself but by the supplies which should be granted unto your Majesty from them, I presume no discreet man will presume to rely singly upon their courtesies. But if they shall see your Majesty may be really and effectually supplied by the match of your son with Spain, I conceive the Parliament is like to be a body so composed that they will either stretch far for the diverting of your Majesty from the match; or if that your Majesty's wants may be relieved by the Princess's portion, and that your Majesty may speak to them as a Prince not in necessity, or that cannot subsist without them, your Majesty will doubtless find other language from them than in other times you have done." Digby to the King, Oct. 8, 1617. *S. P. Spain.*

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1617. March. religious toleration could be safely carried. He merely told them of the large offers which had been made to him, and requested them to look over the papers which Digby would lay before them, and which would contain everything that had passed between the two Governments on the subject of the match.

Reply of the Commissioners. To one at least of the Commissioners, this communication must have been highly distasteful. If Bacon disliked a repetition of Salisbury's attempt to bargain with the House of Commons, we may be quite sure that he disliked still more this attempt to bargain with the King of Spain. But whatever may have been the language which he used amongst his fellow-commissioners, there was no room for such objections in the reply which they were called upon to make in common to the King. The tone of that reply, indeed, is almost such as to give rise to the idea, that the Commissioners regarded their consultations as a solemn farce. The only question which was practically before them, was whether a Spanish princess, with a portion of 600,000*l.* was not better worth having than a French princess, with a portion of 200,000*l.* To such a question there could be but one reply; and they told James, that if the money could be obtained without unworthy concessions it would be worth his while to secure it. In saying this, however, they hinted pretty intelligibly, that they were aware that they had not been asked to decide upon the true merits of the case; and they gave their opinion, that it was highly probable that the negotiation would be broken off on some point of religion, and that if this were the case, his Majesty would gain considerable reputation both at home and abroad.*

April. Digby's instructions. Such a reply, drawn up by a body of men of his own selection, might well have induced James to hesitate. But mere good advice never had much effect upon him, and he was the less inclined to draw back as, with his usual readiness to postpone consideration of a crucial point as long as possible, he had determined not to entrust Digby with powers to conclude anything with respect to the English Catholics. The articles, as

* The reply follows the King's speech in *Harl. MSS.* 1323.

they had been sent from Spain the year before, were to be made the basis of the negotiation, as far as the Infanta and her household were concerned; but the discussion of the treatment of the Catholics was to be reserved for future consideration of James himself. The portion to be asked for was on no account to be less than 500,000*l.*, and more was to be obtained if possible. The express stipulation was to be added that it should not revert to the Infanta if she were left a widow.*

Sarmiento created Count of Gondomar.

The public declaration of James was justly regarded by Sarmiento as the crowning glory of his diplomacy. It was by no means to his own satisfaction that he was still in England. He had long been wearying his Government with repeated applications for permission to return to his native land. He was suffering from a disease for which the medical skill of that age afforded no remedy, and he was longing for repose in his stately mansion at Valladolid. In his eyes the tawny plains which lie along the banks of the Pisuerga were more lovely than the green fields of pleasant England. Such a wish as this it was difficult to grant. Again and again he was told that he could not be spared from the post which he filled so well. Another desire which he cherished, was more readily acceded to. For some time he had been pertinaciously begging for a title which would satisfy the world that his labours had been graciously accepted by his master. It was easier to honour his services, than to dispense with them, and as soon as the news of James's resolution arrived at Madrid, he was informed that he would from thenceforward be known as the Count of Gondomar,† but that he must remain in England a little longer.

Views of Bacon.

For most men there was nothing more to be said about the marriage, till Digby had felt the ground at Madrid. But to Bacon it was intolerable to leave the matter so. If there was to be a Spanish alliance at all, he must do his best to raise it to a higher sphere than that in which James's thoughts were grovelling. For though the re-

* Instructions to Digby, April 4. Prynne's *Hidden Works*, 2.

† Lerma to the President of the Council, April $\frac{18}{28}$, 1617. *Simancas MSS.*

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1617. April. conciliation of the great ecclesiastical sections into which Europe was divided seemed less exclusively important to him than it did to Digby, he had no sympathy with the untiring bitterness against Spain by which Raleigh and Winwood were animated. Just as he had sought to put an end to the domestic difficulties of his country, by calling upon the King and the House of Commons to join together in some noble work worthy of the nation, he now sought, though probably without much hope, to lead the two great nations which had been engaged so long in an internecine struggle, to see that the only alliance worth having was founded on joint service for the common good of Europe. As soon, therefore, as it was determined that Digby was to return to Madrid, he drew up a paper, which he advised the King to issue as an additional instruction to his ambassador.

March 23.

His proposed instructions for Digby.

Why should not, he argued, the two great monarchies combine to establish a court of arbitration, by which all quarrels between Christian princes might be decided, and a stop put to the effusion of Christian blood? Another suggestion was of a more practical nature. Might not England and Spain make common cause against the danger which still threatened Europe from the side of the Turkish Empire? That empire, indeed, had not yet fallen into the decrepitude which has in our own day caused such anxiety to Western Europe. Its strength was still great, and was justly considered to be dangerous to its neighbours. But it was evident to all that the tide was on the turn, and it may well have seemed to Bacon that a war half religious, half political, might justifiably be waged with the object of setting bounds to the flood of barbarism which was formidable even in its decline.*

The Barbary pirates.

But whatever might be thought of the expediency of a direct attack upon Constantinople, there was one part of the Turkish Empire which called imperatively for the interference of the maritime powers. Tunis and Algiers

* Additional instructions to Digby, March 23, 1617. Bacon's *Works*, ed. Montagu, xii. 313. See also Mr. Spedding's Preface to the Advertisement touching a Holy War. Bacon's *Works*, vii. 3. The clause about "popular estates and leagues," refers, I suppose, to the opposition of the Dutch in the affair of the Merchants Adventurers, and to the plan which was at this time warmly discussed for removing the staple from Middelburg to Antwerp.

still nominally formed part of the dominions of the Sultan, and the Pachas, who were supposed to govern the two states, were duly nominated at Constantinople. But in fact Tunis and Algiers were the seats of independent communities. In each of them a militia, recruited from every part of the empire, had real power in its hands. Swarms of foreigners settled down like locusts upon the wretched population, and held them in subjection, with all the crushing weight of a military despotism. The Beys of Tunis and the Dey of Algiers were elected by this turbulent soldiery, and were in reality servants of the uncontrollable hordes which had long bidden defiance to the Sultan.

Their ravages.

It was not in the nature of things that states thus constituted should be content to live upon the resources furnished by their own dominions. With the full stream of European commerce passing almost within sight of their coasts, it is no wonder that they had learned to quote with peculiar fervour the passages of the Koran which enjoined upon all true believers the duty of making war upon the infidel. In both of the states, and especially at Algiers, which was by far the more formidable of the two, what the sufferers called piracy had long been a regularly organised intitution.

Their mode of proceeding was extremely simple. Whenever a member of the military community who was rich enough to possess a vessel fitted for the purpose wished to try his fortune at sea, he asked the Dey for permission to leave the port; a permission which was invariably granted, excepting when the vessel was needed for the public service. The adventurer's next step was to go on board his ship, to hoist a flag, and to fire a cannon. At the well known signal, troops of hardy ruffians flocked on board. As soon as a selection had been made, the captain put out to sea, and either lay in wait for the richly freighted merchantmen which carried the trade of Western Europe, or swept the coasts in the hope of surprising persons of wealth and station, for whose release a large ransom might be demanded. Strict discipline was maintained, and it was rarely that the pirates returned without a prize. At the end of the

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cruise a fixed proportion of the booty was assigned to the Dey, whilst the remainder was shared amongst the crew.* The greater number of the prisoners were detained in a life-long slavery. No hope remained to them, unless they were fortunate enough to be captured by the vessels of some Christian sovereign. It was only a few who, like Cervantes, owed their release to the payment of a ransom by their wealthy friends. Still fewer, like Vincent de Paul, were assisted to escape by the connivance of some member of their captor's family. By the inhabitants of the coasts of Southern Europe, slavery at Algiers was regarded as a horrible misery, which might be the lot of any one.

The renegades.

It was not only amongst the natives of the Turkish Empire that the pirate bands were recruited. Every man who would join them was welcome in Algiers. The offscourings of the Mediterranean ports—men with seared consciences and broken fortunes—might there win their way to wealth and to a certain kind of fame. Their prosperity would be all the more brilliant if they would renounce a Christianity of which they knew nothing but the name. Even natives of the northern countries occasionally joined in these atrocities. Not a few of the mariners who had manned the English privateers which had been so mischievous to the enemy during the Spanish war, continued the work of plunder from the Barbary ports. The heir of an ancient Buckinghamshire family, Sir Francis Verney, took part for many years in these nefarious enterprises.† An Englishman, named Ward, and a Dutchman, named Dansker, were long the terror of sailors of every nation; and, at one time, it was said that not a single vessel sailed out of Algiers which did not carry an English pilot.

Story of Ward.

The history of Ward was, perhaps, in the main the history of hundreds like him. In his youth he had taken part in some of the buccaneering expeditions in which so many English sailors had gambled away their lives, in the hopes of filling their pockets with Spanish gold. He is next

* Zinkeisen. *Geschichte des Osmanischen Reichs*, iv. 325.

† On the 28th of September, 1609, Cottington writes that Verney had taken three or four Poole ships, and one of Plymouth. *S. P. Spain.* See also Mr. Bruce's account of this worthy in the Verney Papers.

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heard of as a frequenter of ale-houses at Plymouth, where he is said to have left behind him the reputation of a spendthrift and a drunkard. Early in the reign of James, he found employment as a common sailor on board one of the king's ships. But the steady discipline and the hard fare were not to his taste. One day, as his vessel was lying in Portsmouth harbour, he heard that a wealthy recusant, who had recently sold his estate, with the intention of taking refuge in France, had sent 2000*l.* on board a little vessel which was waiting to convey himself and his family to Havre. Ward had no difficulty in persuading some of his boon companions to join him in an attempt upon the prize. Soon after nightfall the crew of desperadoes leaped upon the deck, battened down the hatches upon the two men who were left in charge, and stood out to sea.

To Ward's sore disappointment his search for the expected treasure proved unavailing. His colloquies with his associates had attracted attention, and the money had been removed to a place of safety. But it was too late to go back. Off the Scilly Isles he sighted a French vessel three times the size of his own, and armed with six guns. Fertile in expedients, he ordered the greater part of his crew to keep below whilst he ran alongside the stranger, and engaged the Frenchmen in conversation. At a given signal his men poured up from the hold, and over the sides of the larger vessel. In a few seconds she was a prize in the hands of pirates. After this exploit, Ward had the effrontery to put into Cawsand Bay, and to search for recruits amongst the comrades of his carouses in the alehouses of Plymouth. As soon as his vessel was manned, he made all sail for Tunis, where he was received with open arms. His courage and skill soon placed him on a level with the foremost of the pirate captains. Wealth followed in the train of success, and it was said that no English nobleman kept such state as the runaway sailor.*

Feeling in England.

In itself, piracy was by no means regarded in England with the detestation which it merited. To plunder

* *A true and certain report of . . . . Captain Ward and Dansker*, by Andrew Barker, 1609.

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Frenchmen and Venetians was a very venial offence. To plunder Spaniards was almost a heroic achievement. But indignation was roused when it was heard that many of these men had "turned Turks,"* especially when it was found that the renegades had no idea of sparing the growing English commerce in the Mediterranean. In the words of a contemporary annalist, these wretches, "doubting their offences to be unpardonable by law and nature, became runagates, renouncing their Christian faith, exercising all manner of despites, and speaking blasphemy against God, their king, and country; and taught the infidels the knowledge and use of navigation, to the great hurt of Europe."

Attempts to suppress piracy.

Attempts were occasionally made to arrest the evil. James had set his heart, as far as he ever set his heart upon anything, upon suppressing the pirates. In the first years of his reign proclamation followed proclamation, in which, as far as words could go, he made known his abhorrence of their conduct. In 1608, nineteen pirates were seen hanging in a row at Wapping, as a terror to all who might be disposed to follow their example. On the 20th of July, 1609, the Spanish Admiral, Fajardo, succeeded in destroying no less than twenty vessels under the command of Ward. But such losses were easily repaired. Two months after Ward's defeat, Dansker took one of the galleons of the Mexico fleet, and carried it into Marseilles, in the expectation that a blow struck against the commerce of Spain would be welcome in France, from whatever quarter it might proceed. A few days earlier, Sir Francis Verney had been making havoc of his own countrymen, and had carried into Algiers three or four prizes belonging to the merchants of Poole and Plymouth.†

Treatment of the prisoners in Spain.

The Spaniards returned in kind the barbarous treatment which they suffered. In houses of distinction at Madrid, slaves from Barbary were the regular atten-

* This feeling is illustrated by the prologue to Daborn's Play, "A Christian turned Turk."

† Stow's *Annales*, ed. Howes, 893. A relation of the success of the King of Spain's Armada in 1609. *S. P. Spain.* The date is given by Howes erroneously as 1608.

dants.* European pirates were more harshly treated. In 1616, for instance, a Captain Kelway was taken with thirty of his crew. They were all condemned to be hanged; but, as Cottington expresses it, "the Jesuits dealt with them for their conversion in religion; and such as they could convert were immediately hanged with great joy; and such as keep their own religion live, and are put to the gallies, so as twelve only are made saints, and the others are kept for devils."† But neither the hangman, nor the worse misery of the galleys, proved of any avail, and in the early part of 1617 the crews of a fleet of seventy sail found occupation in plundering the commerce of the Mediterranean.‡

The Earl of Southampton.

Foremost amongst those who took to heart the insolence of these miscreants, was Henry Wriothesley, Earl of Southampton. His shining talents and impetuous courage had made him a marked man amongst the paladins who guarded the throne of Elizabeth in her declining years. Almost alone amongst his contemporaries, he had detected the genius of Shakspeare; and it has been even supposed by some that his were the joys and sorrows embalmed by the great poet in his immortal sonnets. He had thrown himself heart and soul into the great struggle with Spain; and wherever his sword was drawn he brought back with him the reputation of a brave and skilful warrior. He had many great and some noble qualities; but they were seriously impaired by the vehemence of his temper. His judgment was weak, and his power of self-restraint was very small. At one time he was brawling in the Queen's palace; at another time his friendship for Essex beguiled him into taking part in the spoiled favourite's senseless treason, and brought him to the very edge of the scaffold. The accession of James opened his prison doors, and he hoped for a seat at the Council Table; but his merits and his

* "Few serve themselves with other than captive Turks and Moors, and so the multitude of them were very great." Cottington to Salisbury, June 9, 1610. When Buckingham was in Spain in 1623, he asked the Marquis of Aytona to sell him a boy for 30*l*. Aston to Buckingham, Dec. 5, 1623. *S. P. Spain.*

† Cottington to Winwood, Aug. 19, 1616. *S. P. Spain.*

‡ Cottington to Winwood, May 20, 1617. *S. P. Spain.*

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faults alike barred the way to office against him. The promotion which he expected did not come. In 1604, he gave offence to the King, and for a few days he was under arrest. In 1610, the Court was amused by his quarrel, at a game of tennis, with Pembroke's foolish brother, Montgomery; and men were laughing at the vehemence with which these two great lords used their rackets about one another's ears.* But such scenes as these were far from making up the whole of his life. He found occupation for himself in the many schemes which were on foot for the colonisation of America, and he soon became a busy member of the Virginia Company. He was now engaged in consultations with the city merchants who had suffered in the Mediterranean; and with their assistance he had prepared a plan which was submitted to the King. He proposed that an expedition should be at once fitted out against Algiers. Twelve thousand men, he said, would be sufficient to capture that nest of pirates. The merchants expressed their willingness to bear two-thirds of the expense, if the King would take the remainder upon himself. If James refused, it was thought that the Dutch would be ready to take the matter up.

Gondomar's opposition.

If this had been all, there would have been enough to excite the apprehensions of Gondomar. He had no wish to see an English fleet so near the coast of Spain. But the informant from whom the ambassador derived his knowledge told him more than this. He said, and it is by no means unlikely to have been true,† that it was resolved that if the expedition failed, an indemnity should be found in the plunder of Genoa or of the states of the Pope. Gondomar, therefore, without appearing publicly in the affair, did his best to throw obstacles in its way. As the merchants were desirous that Southampton should himself take the command of the expedition, it was easy to speak of the scheme as an arrangement concocted for the mere purpose of furthering the Earl's ambition. Ac-

* Chamberlain to Winwood, May 2, 1610. *Winw. Memorials*, iii. 154.

† It must be remembered that a month or two earlier a proposal had been made for a direct attack upon Genoa, by men with whom Southampton was intimate.

cording to Gondomar, all that he really wanted was to bring about a war with Spain, in order that he might be called upon to replace the aged Nottingham, as Lord High Admiral of England.*

Consultations on the proposal.

James laid the whole subject before the Commissioners to whom the marriage treaty had been already referred. They immediately summoned before them the merchants whose interests were affected by the continuance of piracy, and asked them whether they were prepared to contribute a fair proportion of the expenses. They also sent for a few old sea captains, in order to have their opinion on the feasibility of the enterprise.

The merchants at once offered to find 40,000*l.* in two years; and, after a little pressing, said that if the enterprise were seriously taken in hand, they would not be backward in increasing their contribution. But there seemed some doubt whether the enterprise was likely to serve any useful purpose after all. Both the merchants and the sailors agreed that it was perfectly hopeless to think of taking, by a sudden attack, a place so strongly fortified; and Nottingham and Monson supported the dissentients with all the weight of their authority.† A long series of operations would be necessary. If the fleet could keep the sea for a sufficient length of time, it might be possible to wear out the enemy by destroying his vessels, and by cutting off his prospects of plunder. But if such a scheme as this was to be carried out, it was evident that the assistance of Spain would be indispensable. Yet every one, with the exception of one or two of the Commissioners, shrunk from carrying on war with such an ally. Still, it was madness to think that a blockading squadron could keep the sea without a single friendly port to retreat to in time of need; and all that could be said was, that the King of Spain might perhaps consent to contribute in money to the undertaking, and open his ports to the English and the Dutch, by whom the real work would be done. That English and Spanish sailors could not be brought together without coming to

* Gondomar to Philip III., July $\frac{2}{12}$, 1617. *Simancas MSS.* Est. 2850.

† Nottingham's opinion. *Simancas MSS.* Naval Tracts of Sir W. Monson, in Churchill's *Voyages*, iii. 167.

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blows, was the opinion of all whose advice was asked upon the subject.*

May. Digby ordered to support the plan.

As soon as these recommendations were reported to James, he gave orders that Digby should take them for his guidance, and should excuse himself for asking for money only, on the plea that the Spanish ships were too large to be usefully employed on coast service.†

Such was the promising opening of the first serious effort to reap benefit from the Spanish alliance. But before inquiring how Digby fared at Madrid, it will be well to cast a glance upon the domestic affairs of England.

* Commissioners for the Spanish business in London to those with the King, April 30. *S. P. Dom.* xci. 52, i.

† Commissioners with the King to those in London, May 6. *S. P. Dom.* xcii. 11.

CHAPTER II.

RALEIGH'S LAST VOYAGE.

1617. March.

The Privy Council.

AT the time when James thought fit to lay his Spanish project before commissioners selected from the Privy Council, that body itself was hardly in a position to exercise much influence over the course of affairs. It is true that the new members who had lately taken their seats at the Board were such as were likely to add no small weight to its authority. But its composition was so heterogeneous, and those who sat at it had received promotion for such opposite reasons, that it is strange that their consultations did not terminate in open strife. Abbot was there because he hated Rome, and Andrewes because he detested Geneva. Edmondes had gained his seat by his services in maintaining the French alliance, and Digby by his energetic efforts in favour of Spain. One secretary, Sir Ralph Winwood, never ceased to call for war with the Spanish monarchy. The other secretary, Sir Thomas Lake, thought that such a war was to be avoided by all possible means, and was himself in receipt of a Spanish pension. Arundel, the heir of the eldest branch of the Howards, brought with him the feelings and the prejudices of the old nobility, whilst Bacon was longing to transform the realm after the fashion which his own genius had suggested to him.

Its treatment by the King.

A Council thus composed was admirably adapted to serve as a consultative body, and James might have learned far more from its deliberations than he could possibly have gained from a Board at which there was greater unity of sentiment. But James did not really wish to learn. It would have been far better if he had been either a little more in earnest, or a little less in earnest, about public affairs. A King who, like Lewis XIV., could have applied himself to the laborious task

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of overlooking the daily working of the machine of government might have obtained from such a Council the materials for the exercise of an independent judgment. A King who, like Lewis XIII., cared for nothing but dogs and falcons, might have found another Richelieu who would relieve him from the task which was too heavy for his own shoulders. But James thought enough about politics to make him jealous of interference, and not enough to make them the business of his life. The Council was accordingly allowed to occupy itself with matters of detail, to examine into accounts, and to report on schemes for the improvement of the revenue. Questions of higher importance were either neglected altogether, or were reserved for the King's special consideration, to be chatted over with his favourites in some idle hour after a hard day's hunting at Theobalds or Royston.

Official corruption.

Nor was it only in the administration of political affairs that the looseness of James's hand was felt. That official corruption was alarmingly prevalent at Whitehall was a secret to no one.

The main causes of the evil admit of an easy explanation. With merely a nominal salary, the great officers of the Crown were left to depend, for the remuneration due to their services, upon the payments which, under various names, were made by those who needed their assistance. In some cases these payments were limited by an authorised scale of fees. In other cases they were restrained by custom within the bounds of moderation. But there would always be instances occurring to which no rules could apply. Men who wanted to drive a bargain with the Government soon discovered that official doors could only be opened with a golden key, and the more questionable the character of the petition was, the larger was the bribe which the petitioner was willing to administer. Even if there had been a recognised code of official morality in existence, it would have been almost impossible to draw the line between money which might honestly be accepted and money which must at all hazards be refused. But, in truth, every man was left to draw the line for himself. What the temptations

were to which an official was exposed may be gathered from the reply which was said to have been made by a statesman,* who had himself held the office of Lord Treasurer, to a friend who asked him what the profits of the place might be. "Some thousand pounds," he said, "to him who, after his death, would go to heaven; twice as much to him who would go to purgatory, and no one knows how much to him who would adventure to a worse place." †

The Courtiers.

In addition to the officials whose pay was merely nominal, the King was surrounded by a crowd of hungry courtiers whose pay was nothing at all. To them flocked day by day all who had any favour to beg, and who hoped that a little money judiciously expended would smooth the way before them. Some of the applicants, no doubt, were honest men who merely wanted to get a chance of doing honest work. But there were not a few whose only object was to enrich themselves in some discreditable way, and who were ready to share the booty with those who would lend them a helping hand in their roguery.

James's supineness.

That it was his duty to make war upon this evil system was a thought which never seems seriously to have entered into James's head. Even if he had felt the desire, he lacked the firmness and energy by which alone great reforms are effected. Any glaring instance of peculation, especially when his own interests were touched, must of course be punished. But in general he seems to have thought that, if his ministers could secure payment for their services without dipping their hands into the exchequer, it was so much the better for him. Somewhere in the recesses of his mind he may perhaps have cherished the thought that purity was preferable to corruption. But if he felt that the world was out of joint, he never went so far as to imagine that it was his business to take much trouble to set it right. "If I were to imitate the conduct of your republic," he once said to a Venetian ambassador, "and to begin to punish

* The Earl of Manchester.

† Lloyd's *State Worthies* (ed. 1766), ii. 351.

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those who take bribes, I should soon not have a single subject left." *

His favouritism.

Nor was it only indirectly that the seeds of evil were fostered by James. During the early years of his reign, Salisbury had gained an influence over his mind; and, in spite of Salisbury's defects, the influence of a statesman could not fail to be beneficial to the country. But after Salisbury's death, and still more after the discovery that he and so many others had been in the receipt of pensions from Spain, James made up his mind never again to give his full confidence to any of his ministers. Hitherto he had had his favourite companions in the chase and at the banquet. Montgomery and Haddington had followed him in the field, and had laughed and jested with him in his hours of privacy; but they had taken no part in the government of England. It was now to be otherwise. He would have a favourite who was to be his other self. He would form his opinions and mould him to his own likeness. Through the companion of his leisure hours he would communicate with his officers of state. That such a man should prove indifferent to his master's interests, seemed to James a sheer impossibility. Would he not owe everything to him; and would he not be ready to repay him by the devotion of a life for the benefits which he had received?

Rise of Villiers.

First, in Somerset, and, after Somerset's disgrace, in Villiers, James imagined that he had found the man of whom he was in search. He had been attracted by the strong animal spirits and the handsome features which were common to both; and habit soon forged firmly the links of the chain which bound him to the inseparable companions of his leisure hours. Nor was it enough for him to pay his own worship to the idol which he had set up. He whom the King delighted to honour, must be honoured by his subjects. Remembering but too well the fatal facility with which he had squandered his money and his lands upon unworthy claimants, and thinking, perhaps, that his favourite might be able to give a refusal which he was himself incapable of uttering,

* Marioni to the Doge, $\frac{\text{July } 23}{\text{Aug. } 2}$, 1618. *Venice MSS.* Desp. Inghilterra.

he determined to adopt it as a maxim that no honour should be granted, and no office bestowed, unless the good word of Villiers were first obtained.

Patronage in his hands.

It was a dangerous experiment to place the patronage of the Crown in the hands of a stripling. It would have been strange if so sudden an elevation had not turned his head. Placed in the heyday of youth in a situation in which he was courted by every one who sought advancement, it required a stronger mind than his to resist the fascinations of his position. It was so pleasant to feel that all the learning and ability of England were at his disposal, and that a smile or a frown from him could raise or depress the spirits of men who had risen, by a life-long toil, to the highest offices of the state. Nor was it only with respectful words or ready service that those who needed his assistance were prepared to pay for his favours. Here and there, perhaps, might be found one who, like Digby or Bacon, refused to bribe his way to office; but the great majority of aspirants thought it no disgrace to offer large sums to any one who would help them to the object of their desires; and, at least within the limits of the Court, no surprise was shown if the courtier accepted without compunction, what was offered without sense of shame.

His vanity.

And yet it was not avarice which was the besetting sin of Villiers. If ever, before the sudden close of his career, he had leisure to look back upon the events of his past life, he might well have exclaimed, in the words which were long afterwards employed by a far greater man, that he was astonished at his own moderation. With a princely income of 15,000*l.* a-year,* he could well afford, whenever any inclination was to be gratified, to thrust away, with a lordly sweep of the hand, the proffered bribe. It was vanity, which was gnawing like a canker at his heart. The light-hearted, giddy youth, who had won the approbation of Pembroke and Abbot by his courtesy and kindliness, quickly learned to cherish, with jealous fondness, the reputation of being the one

* Popularly believed to be 20,000*l.* Lionello to the Doge, Dec. $\frac{12}{22}$, 1616. *Venice MSS.* Desp. Ingh. But see Suckling and others to Buckingham, July 29, 1623. *S. P. Dom.* cxliv. 91.

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man in England whose words were never whispered in the King's ear in vain. In his turn he was surrounded by a crowd of hangers-on, and he soon made it a point of honour to frustrate the suit of every man who refused to swell the train.

January. He is created Earl of Buckingham.

On the 5th of January, 1617, Villiers, after enjoying his title of Viscount for little more than four months, was raised, by the foolish fondness of James, to the dignity of Earl of Buckingham. This sudden rise boded ill for the realisation of the hopes which had been entertained by the leading members of the Council after the fall of Somerset. It was evident that it was not in their hands that James intended to place the reins of government.

1616. November. Ellesmere's age and infirmities.

It was not long before the occurrence of a vacancy in one of the highest offices in the realm afforded an opportunity of impressing upon all who were looking for advancement, that there was now but one road to the royal favour. On the 18th of November, 1616, Ellesmere had come down to Westminster Hall to receive the oath of the new Chief Justice, Sir Henry Montague. It was his last appearance in public. Worn out by age and infirmities, he had long been soliciting permission to withdraw from the fatigues of office. Utterly opposed as Ellesmere had been to the foreign policy which had lately been adopted by the King, James was loath to lose the services of one whom he had valued so highly, and who, in the great struggle with Coke, had stood up manfully in defence of the combined rights of the Crown and the Court of Chancery. He accordingly replied by begging him to remain at his post, and by conferring upon him the title of Viscount Brackley. But it was not by compliments that his health could be restored; and though the King, in answer to renewed applications for release, continued to express hopes for his recovery, the old man was well aware that he could not expect ever to take his seat in Chancery again.* Finding, therefore, that James was still resolved not to accept his resignation, he took the decisive step of refusing to set the Great Seal to the

* The King to Brackley, Feb. 9. *Biog. Brit.* Article Egerton, Note W.

1617. March.

His resignation and death.

patents which were brought him for the purpose.* It was impossible to allow the business of the office to remain at a standstill. James accordingly came to his bedside, and, accepting the seal with tears in his eyes from his old servant, directed that it should be immediately used to give currency to one of the patents in question, leaving the other to be sealed on the following day. It was not till it was needed for this purpose that the symbol of office was finally removed from the sick man's chamber.†

The old lawyer did not long enjoy that relief from official cares for which he had pleaded so earnestly. On the 15th of March he was at the last extremity. James had the bad taste to send Bacon to the dying man, to console him with a promise of an earldom. At one time he would have welcomed such a mark of his Sovereign's favour, were it only for the sake of the heir who had just been born to his only surviving son. But it was now too late. He thanked the King for his goodness; but at such a moment, he said, questions of earthly rank were vanities with which he had no concern. Half an hour after Bacon had left him, he breathed his last. James did not, indeed, forget the offer which he had made. He conferred upon the son of the late Chancellor the Earldom of Bridgewater; but, if rumour spoke correctly, either he or the favourite extorted no less than 20,000*l.* from the new earl as the price of the honour.‡

* "Withal, some say, he had vowed never to set the seal to two patents that were sent him, the one for the sale of woods, the other for some impositions on inns. So the King, seeing all things of that nature to stand still by reason of his sickness, went to visit him on Wednesday." Chamberlain to Carlton, March 8. *S. P. Dom.* xc. 105. This does not, I think, imply more than is stated above. It is the sickness that is the obstacle, not the nature of the patents. It is very improbable that Ellesmere objected to the latter patent as illegal. In another contemporary letter we are simply told that when he saw that the King would not accept his resignation, "he began to refuse all things that were sent him from the King to seal: he refused my Lord Gerard's patent to be Lord President of the Marches of Wales." Gerard to Carleton, March 20. *S. P. Dom.* xc. 135. The last-mentioned refusal is natural enough, as he wished for the appointment for his own son.

† Chamberlain to Carleton, March 8. *S. P. Dom.* xc. 105.

‡ Chamberlain to Carleton, March 29. *S. P. Dom.* xc. 146. The warrant, adds the writer, "sticks now I know not where, unless it be that he must give" more money. The delay was, however, merely owing to a question of etiquette. Bacon to Buckingham, April 18. *Works*, ed. Montagu, xii. 316.

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1617. March.

Bacon Lord Keeper.

It can hardly be said that Buckingham had much to do with the choice of the Chancellor's successor. It was, indeed, reported that Sir John Bennett, who had risen into notoriety at the time of the Essex divorce, had offered 30,000*l.* for the vacant office. Others spoke of Hobart, or even of Bishop Montague, the brother of the Chief Justice, who had lately succeeded Bilson in the see of Winchester, and had brought himself into notice by editing a collection of the King's pamphlets and speeches. A more improbable report pointed to Coke as the fortunate man.* But it is not likely that James hesitated for a moment. On the 7th of March, four days after the Chancellor's resignation, he placed the great seal in the hands of Bacon, who was to hold it with the inferior title of Lord Keeper. The assiduous court which Bacon had paid to Buckingham, preserved him from all opposition on the part of the favourite; but his services as Attorney-General had been too marked to make any such opposition likely. For some time past the late Chancellor had lost no opportunity of speaking a good word for Bacon, and had expressly declared his wish that he might be his successor. The same exalted idea of the prerogative,—the same desire to limit the jurisdiction of the Courts of Common Law animated them both.

Yelverton to be Attorney-General.

By Bacon's promotion the Attorney-Generalship became vacant, and the King made up his mind to give the appointment to Yelverton, who had now been Solicitor-General for nearly four years. When he delivered the great seal to Bacon, he turned to the Lords who were present and said, jestingly, that he should look upon any one who spoke against Yelverton as at least half a traitor. The fortunate lawyer immediately received the congratulations of his friends upon his promotion, and was told to get the warrant ready for the royal signature.

Buckingham's opposition.

Yelverton, however, was not long in discovering that there was an obstacle in his path. The warrant was drawn up, but for many days it remained unsigned. At last he discovered that Buckingham was his enemy. He had studiously avoided asking the favourite for his

* Sherburn to Carleton, Feb. 23. Chamberlain to Carleton, March 15. Gerard to Carleton, March 20. *S. P. Dom.* xc. 81, 122, 135.

patronage, and he had owed his former advancement to the good word of Somerset and the Howards. Nor was this all. Sir James Ley had offered Buckingham 10,000*l.* for the place; and Ley was not a man whom it was any discredit to support. He had served as Chief Justice in Ireland, and, though he had been no favourite with the Dublin Catholics, he had been honoured with the thorough support of Chichester. Since his retirement from the Irish Bench, he had returned to England, and had held the lucrative appointment of Attorney of the Court of Wards. So notorious was it, however, that it was not by his professional merits that he had gained Buckingham's support, that the leading members of the Council were indignant at this barefaced attempt to set aside the professed intentions of the King. Sharp words were exchanged between Buckingham and Lennox. Yelverton was however advised by his friends to submit to necessity, and either to make interest with the favourite, or to plead his cause with James in person. Winwood offered to take him before the King with the warrant in his hand. Yelverton, who during his whole life oscillated between rugged independence and the humblest compliance, was just now in an unbending mood. The King, he replied, had wisdom enough to choose his own servants, and he would leave the matter in his Majesty's hands. But Buckingham was either beginning to be ashamed of his conduct, or was startled by the opposition which it had provoked. He now sent for Yelverton, and assured him that he wished him well, but that he feared that if so important an office were disposed of without his influence being seen in the matter, men would fancy that he had lost his credit with the King. Yelverton replied sturdily, that it was not the custom for the King's favourites to meddle with legal appointments. No doubt he would wish to be certain that the post was not occupied by an enemy, but he hoped that he had never given him reason to complain of any discourtesy. With this Buckingham professed himself satisfied, and taking the warrant to the King, returned with it duly signed. That a man in Buckingham's position should have behaved in such a manner

Yelverton's appointment.

Ch. II. 1617. March.

is intelligible enough. But what is to be thought of the sovereign who gave his countenance to such proceedings?

A few days after this scene had taken place, Yelverton waited on the King, and told him that though he had never promised anyone a farthing for the office, yet as an acknowledgment of his duty, he had brought with him 4,000*l.*, which he begged his Majesty to accept. James, who had no expectation of such a windfall, jumped up, caught his Attorney-General in his arms, and, after thanking him profusely for his liberality, told him that the gift would be extremely useful, as it would enable him to buy some dishes of which he was much in need.*

Coventry Solicitor-General.

It was the general opinion of the profession that the Solicitor-Generalship thus vacated, ought to have been conferred upon Sir John Walter, the Prince's Attorney.† But Walter's unbending temper was a bar to his promotion. The man who was selected, was Coventry, who had lately been appointed Recorder of the City of London. When he had been chosen to that office, James was inclined to look askance upon him, as one who had lived on familiar terms with Coke. He had, however, little difficulty in persuading the King that he had no wish to join in an attack upon the prerogative. He was not a man of brilliant parts, but to the end of his life he maintained the reputation of a good lawyer. In political questions, he was said to be possessed of a sound judgment, but though he lived to hold offices of the highest political importance in times of great excitement, he never ventured to oppose his opinion to the doctrines which happened for the moment to be in favour at Court.

May. Other legal promotions.

Nor were these the only legal preferments which at this time came into the King's hands. A few weeks later, two puisne judgeships were given to Sir John Denham

* Whitelocke. *Liber Famelicus*, 55. Yelverton is sometimes praised for not having taken part against Somerset, after owing his appointment as Solicitor-General to his influence, and his conduct is contrasted with that of Bacon in the trial of Essex. It may have been the case that Yelverton objected to act; but it merely rests on Weldon's word, and Weldon thinks that he was Attorney-General at the time, and was committed to the Tower for his conduct.

† Whitelocke. *Liber Famelicus*, 54.

and Serjeant Hutton. Both the new judges were distinguished by their legal attainments, and with respect to the independence of their character, it is sufficient to say that they both lived to deliver their opinions on the great case of ship money, and that neither of them could be induced to give a judgment in accordance with the wishes of the King.

Character of these appointments.

It is impossible to deny that the character of these appointments was eminently satisfactory. Bacon may well have been excused for thinking that the day was at last come when men of sagacity would be selected for service in the state. But the episode of Buckingham's opposition to Yelverton was of evil augury. It was just possible that the new favourite might have received a lesson, but, unfortunately, it was not very probable.

May 7. Bacon takes his seat in Chancery.

Immediately after these appointments had been made, James set out for Scotland, where he purposed to remain during the summer months. Bacon was of necessity left behind. He could hardly be spared from the duties of his new office. On the 7th of May he rode in state to take his seat in Chancery; and though large numbers had left London in consequence of a proclamation directing all country gentlemen not detained by special business, to return to their homes,* not less than a hundred persons of distinction presented themselves to ride in his train. As soon as he had taken his seat, the new Lord Keeper addressed his audience in a speech† which showed that he had made up his mind that the dispute which he had inherited from his predecessor should not degenerate into a personal altercation between the judges of the rival courts. It is true that he referred slightingly to the "great rattle and noise of a præmunire," with which the claim put forward by the late Lord Chancellor had been met. But he clearly stated that he should reserve the exercise of his powers for cases of proved injustice, and that he would on no account employ them to satisfy the susceptibilities of the chancery lawyers, or the hopes of suitors who applied to a second court only because the weakness of their case made them apprehen-

* *Rymer's Fœdera*, xvii. 8.
† *Works*, ed. Montagu, vii. 243.

Ch. II. 1617. May.

sive of failure in the first. It is probably owing to Bacon's conciliatory language, as much as to any other cause, that any further breach was avoided; especially as he took care to follow up his public declaration not only by carrying out its principles upon the Bench, but by maintaining a friendly intercourse with the judges, an intercourse which was commenced at a magnificent banquet to which he invited them on that very day.*

His prospects.

To Bacon everything now was looking bright. If in his heart of hearts, he could hardly believe that James was the best and wisest of kings, and Buckingham the most unassuming and unselfish of favourites, he was at least able to look at what virtues they possessed through the rosy medium of his own brilliant imagination. His view of the temper of the people was no less favourable. The storms which had agitated the last two Parliaments were, as he thought, forgotten, if indeed they were not to be altogether ascribed to the factiousness of a few hot-headed lawyers. If any dissatisfaction still remained, it would soon be removed by attention to the equal administration of justice. It would then be possible to summon Parliament again, and the Commons would at last be eager to pour out their treasures at the feet of the King.

Bacon's correspondence with Buckingham.

For some little time after the departure of the Court for Scotland, Bacon continued to correspond with the favourite upon the most friendly terms. He begged him to lay before the King a copy of his speech in Chancery. The reply told him how completely it had received his Majesty's approbation.† A few weeks later, the Lord Keeper was able to announce that, in the short space of

June.

a single month, his indefatigable industry had cleared off the enormous arrears of his court, and that not a single case had been left unheard.‡ Before another month had passed, a cloud had come over the scene, and the bark of his fortunes was once more drifting out to sea from the harbour which had been so laboriously gained.

* Chamberlain to Carleton, May 10. *S. P. Dom.* xcii. 18.

† Bacon to Buckingham, May 8. Buckingham to Bacon, May 18. Works, ed. Montagu, xii. 244, xiii. 10.

‡ Bacon to Buckingham, June 8. Works, ed. Montagu, xii. 318.

The danger arose from an unexpected quarter. He no doubt fancied that he should never again have to fear the opposition of the late Chief Justice. Coke himself had probably been of the same opinion. The final blow had fallen upon him like a clap of thunder. Men said in jest that he had been ruined by four P's—Pride, Prohibitions, Præmunire, and Prerogative.* For the moment, however, it seemed that Pride could be ascribed to him no longer. When the news of his dismissal was brought to him, the rugged old man burst into tears; but he speedily recovered himself, and bore himself as manfully as ever. When Montague sent to beg him to sell the official collar for which he had now no further use, he refused to part with it, saying that he would keep it for his posterity, in order that they might know that they had had a Chief Justice amongst their ancestors.† He had much to put up with. The inquiry into the correctness of his reports was still proceeding; and though the King saw him occasionally, and treated him with consideration, there was one at least of the charges against him which it was necessary to bring immediately to an issue. It was asserted, that he had improperly admitted to bail a pirate, who had committed depredations upon French subjects, and, as the offender had taken advantage of the opportunity to make his escape, the French Ambassador was pressing earnestly for compensation. After some haggling, Coke agreed to pay 3,500*l.*, in satisfaction of the injury.‡

1616. November. Coke's behaviour after his disgrace.

1617.

Meanwhile the Council had been called upon to settle a still more thorny question. Coke's first wife had died in 1598, leaving him with a family of seven sons and two daughters. Before the end of the year he was married again to the grandchild of the Lord Treasurer Burghley, the young and handsome widow of Sir William Hatton. From the first the union was an unhappy one. There was nothing in common between the spirited young beauty, and the elderly lawyer, whose admiration was reserved for his law books and his money bags. The very

His relations with his wife.

* Chamberlain to Carleton, Nov. 14, 1616. *S. P. Dom.* lxxxix. 21.

† Castle to Miller, Nov. 19. *Court and Times of James I.*, i. 439. Chamberlain to Carleton, Nov. 23, 1616. *S. P. Dom.* lxxxix. 39.

‡ Winwood to Lake, June 2. Chamberlain to Carleton, June 4. *S. P. Dom.* xcii. 57, 61.

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first months of their married life were spent in a struggle in which Coke attempted, not entirely without success, to get his wife's property into his hands, and to exclude her from all share in the estates of her former husband. The lady, on her part, testified her resentment, by refusing to bear the name of Coke, and by appealing to her powerful relatives for assistance. By their help the quarrel was hushed up for a time, and for some years no public scandal resulted from the strife.

The Hatton estate.

At first it seemed as if the disgrace of the Chief Justice was likely to have a favourable effect upon his domestic relations. When his wife learned that danger was approaching, she drew closer to him than she had done for many years.* But it was not long before the breach was as wide as ever. One of the charges against Coke related to certain lands which had belonged to the late Lord Chancellor Hatton, who had died, owing to the Crown a debt of 42,000*l.* Elizabeth, who had to provide for the expenses of government out of a miserably inadequate revenue, knew better than to lose sight of such a sum as this. She therefore took possession of his estates, and leased them out till the debt was paid from the accruing rents. This lease, which had been at one time in Lady Hatton's hands, was, by some arrangement, the purpose of which we are unable to trace, transferred in 1608 to four persons, of whom Coke was one.† As the annual profits of the land were in excess of the rent payable to the Crown, Coke, in his anxiety to retain the lease as long as possible, contrived to induce the heir to enter into a bond not to redeem his property by paying down the remainder of the debt. In 1616, however, the outstanding portion of the debt was actually paid on his behalf, and Coke not only lost his hold on the estate,‡ but was threatened by the Crown lawyers with penalties for his attempt to fill his own pockets at the expense of the Exchequer.§

It seems that, in some way or another, Lady Hatton's

* Chamberlain to Carleton, June 22, 1616. *S. P. Dom.* lxxxvii. 67.
† Patent Rolls, 5 Jac. I. Part 29.
‡ Grant to Rich and Hatton. Grant to Rous and Shute, July 20, 1616. *S. P. Sign Manuals*, vi. 68, 69.
§ Act of Council. *Biog. Brit.* Article Coke. Note R.

1617.

interests were affected, and that her signature was required to the release which her husband was called upon to execute. Her temper was not proof against the discovery that the estate must be surrendered. She accused her husband of doing her grievous wrong, and made up her mind to live with him no longer. One day she slipped away from the house in which he was, carrying with her all the plate and valuables upon which she could lay her hands. The quarrel became the standing jest of all the newsmongers in London. But their amusement was increased when they heard that she had appealed to the Privy Council against her husband's tyranny. He had threatened, she said, to indemnify himself out of the estates which had been bequeathed to her by her first husband. Coke, on his part, stoutly denied that he had said anything of the kind. For some weeks the Council were racking their brains over the dispute. At last, some sort of superficial reconciliation was effected.* One of the questions at issue was the ownership of Hatton House. The Council decided that it belonged to the lady, but added a sensible recommendation, that she should allow her husband to live in it as well as herself.†

Coke's quarrel with his wife.

1616.

The reconciliation did not last long. Not many hours after the award of the Council was pronounced, the quarrel broke out again on a fresh subject of difference. By her marriage with Coke, Lady Hatton was the mother of two daughters. In the autumn of 1616, the younger of the two, Frances Coke, was growing up into early woman-

Sir John Villiers and Frances Coke.

* *Lansdowne MSS.* 160, fol. 238. Sherburn to Carleton, May 25. Winwood to Lake, June 2. *S. P. Dom.* xcii. 43, 57. Mr. Bruce, in his preface to his Calendar of Domestic State Papers for 1634, has printed a paper in which Lady Hatton recounts her wrongs. But I confess that I hesitate to accept as evidence the statements of a lady whose memory is so bad, that she assigns a date to her marriage which is some months after the birth of her first child. In the same volume will be found an account of the fortunes of Coke's eldest daughter by his second marriage.

† Council Register, June 11. It is amusing to notice Lady Hatton's oblique allusion to her husband in her will. "Having seriously considered," she says," how I have abounded with temporal felicity while I was the happy wife of Sir W. Hatton, my first most faithful and dear deceased husband . . . with whose breath all my transitory happiness expired, and then, for want of spiritual consideration, the storms of a tempestuous life overtaking me had for so many years so far eclipsed the comfort of this life, that my very being was a burden to me," &c. *Harl. MSS.* 7193, fol. 16.

CH. II. 1616.

hood, and was attracting all eyes by the beauty which she inherited from her mother. Amongst those who were fascinated by her budding loveliness was Sir John Villiers, the elder brother of the favourite. His attachment was certainly not cooled by the knowledge that after the death of her parents she would be possessed of an estate valued at 1300*l.* a-year,* and that it was unlikely that, even in their lifetime, they would send their daughter forth as a penniless bride.

Sir John was anxious to make this rich prize his own with as little delay as possible. But he had none of his brother's brilliancy. He was weak in mind and in body, and, if he had any sense at all, it was shown in his perception that he was far more likely to succeed through Court influence than by any attempt which he might personally make to win the affections of the lady. He accordingly placed his cause in his mother's hands.

Lady Compton and her children.

Buckingham's mother was now married a third time to Sir Thomas Compton, a man whom she hated and despised, and to whom, as all the world knew, she had only been attracted by the prospect of sharing his wealth. Her whole heart was now set upon the congenial occupation of making provision for her family. She had succeeded so well in her speculation on the good looks of her second son, that she had no fear of failure in her present enterprise. It is true that there were few ladies who were likely to find any personal attractions in Sir John; but the prudent mother never doubted that, by a judicious use of George's influence such a difficulty might easily be overcome.

Her intervention in her son's courtship.

With Lady Hatton, at least, even this potent argument was unlikely to produce conviction. The two scheming women were too much alike to agree, and a bitter quarrel had recently broken out between them.† But she thought that something might be done with Coke. He had just been suspended from his office, and in order to avert the deprivation which was hanging over his head at the time when the marriage was first mooted, he might be willing to sacrifice not only his daughter, but his money. Yet

* Indenture between Coke and Burghley. *Close Rolls*, 41 Eliz. Part 25.
† Chamberlain to Carleton, July 6, 1616. *S. P. Dom.* lxxviii. 6.

spite of the temptation, Coke refused to give way. He did not indeed object to dispose of his daughter's hand to suit his own interests; but Lady Compton wanted more than this. He was told that he must give a portion of 10,000*l.* with the bride, if the King was to forgive his misdeeds. He refused to give more than two-thirds of that sum, and Lady Compton would not abate a penny of her terms.* Coke magniloquently told her that he would not buy the King's favour too dear. The negotiation was broken off, and he was called upon to resign his seat on the Bench.

1616. Coke refuses to accept her terms.

As the months slipped away, Coke felt the loss of his occupation more and more. His love of money was great. His rugged temper and impatience of opposition were greater still. But greatest of all was his professional pride. If Parliament had been sitting, he would doubtless have thrown himself into opposition as vigorously as he did at a later period of his life. But there was no such chance before him. He had to sit quietly at home, whilst others administered those laws which he had grown to consider as his peculiar property. It was a hard trial, and he soon began to repent of his obstinacy, and to bethink himself whether it would not be worth while to sacrifice—not his daughter, for on that point he had never felt any difficulty, but the few thousand pounds which had caused the disaster. At last he made up his mind, and told Lady Compton that he was ready to comply with her wishes.

1617. But afterwards relents.

It was not long before the compact reached the ears of Bacon. For the hardships of poor Frances Coke, indeed, he cared as little as his rival. It was not an age in which such sorrows ever found much sympathy. He looked, or fancied that he looked, upon the whole matter simply as a political question. That his own personal and professional rivalry with Coke, reaching as it did through so long a series of years, had no influence on his judgment, it would be hazardous in the extreme to affirm; but he had, at least, persuaded himself that no memory of Coke's scornful insolence rankled in his bosom. He believed that he merely

Bacon's objections.

* Chamberlain to Carleton, Nov. 9, 1616; March 15, 1617. *S. P. Dom.* lxxxix. 17; xc. 122.

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saw a man whose connexion with the Government was most injurious to the King's service, attempting to force his way back into office by taking advantage of Buckingham's affection for his brothers. Unable to speak either with the favourite or the King, to warn them of the consequence of their error, his vexation vented itself upon Winwood, who had now made himself a thorough partizan of Coke, and whose wild recklessness of consequences in the affair of Raleigh's voyage was not likely to commend itself favourably to Bacon.

His quarrel with Winwood.

Even by his best friends Winwood's manner was allowed to be anything but conciliatory, and he was not likely to take much trouble to avoid a quarrel. In a few days the Lord Keeper and the Secretary had come to an open rupture. When men meet in such a temper, a little matter will kindle the hidden spark into a flame. Winwood coming into a room where Bacon was, found a dog upon his chair. He was not in the best of tempers, and he struck the animal. "Every gentleman," was Bacon's remark, "loves a dog." A few days afterwards Bacon fancied that Winwood pressed too close to him at the Council Table, and bade him keep his distance.* When, some months later, the Queen, who had taken Winwood's part in the quarrel, asked Bacon what was the cause of the difference between them, he turned the matter off by answering, "Madam, I can say no more than that he is proud, and I am proud.†

July. Lady Hatton's opposition to the marriage.

Coke fancied himself sure of his game. He acquainted the King with his intentions,‡ and James, who was glad enough to see a provision made for Buckingham's brother, which would save him from dipping his hand into his own pocket, gave his hearty approbation to the scheme. But Lady Hatton's consent was still to be gained, and her husband knew that if she were to prove obstinate, he would have to find the whole of his daughter's portion instead of quartering Sir John and his bride upon the Hatton estates. Coke soon found that he had no easy task

* Goodman, *Court of King James*, i. 283. Chamberlain to Carleton, July 5, 1617. *S. P. Dom.* xcii. 88.

† Chamberlain to Carleton, Oct. 11. *S. P. Dom.* xciii. 124.

‡ Coke to Buckingham, July 15. Campbell's *Chief Justices*, i. 298.

before him. Persuasion and menaces were alike in vain. Winwood, who came to his friend's assistance, could effect nothing. He left the unmanageable lady with the threat that her daughter should be married in spite of all that she could say or do. 1617. July.

She sends her daughter to Oatlands.

Pressed on every side, Lady Hatton bethought herself of a device which would at least give her a little respite.* She drew up a form of contract, by which her daughter was to engage herself to become the wife of the Earl of Oxford, who, being at the time in Italy, could not come forward to denounce the imposture. This paper the poor child, glad to catch at a straw, consented to sign.† Keeping this document for use at the last extremity, Lady Hatton left her husband's house, and carrying her daughter with her to Oatlands, committed her to the charge of her cousin, Sir Edmund Withipole. ‡

Bacon remonstrates with Buckingham.

As soon as Bacon heard what had taken place, he sat down to write to Buckingham. He was not aware how completely the favourite had set his heart upon the match, and he thought that there was yet time to warn him against the personal and political disadvantages of an alliance with Coke. It would be unwise, he told him, for his brother to marry into a family in which such domestic discord prevailed, and he might find that, by so close a connexion with the disgraced chief justice, he had even alienated his best friends from himself. The revival of the hopes of Coke and his allies would be injurious to the King's service. The best thing which Buckingham could do would be to write at once to his mother prohibiting her from proceeding in the matter, at least till his own return from Scotland.§

It is evident that Bacon's letter did not spring from any sympathy with Frances Coke. He treated the question of her marriage as ninety-nine men out of every hundred would have treated it in those days, that is to say, as a mere question of expediency, to be argued about in much the same way as he would argue about

* Answer of Lady Hatton. Campbell's *Chief Justices*, i. 300.
† Obligation of Frances Coke, July 10. *S. P. Dom.* xciii. 28. i.
‡ Chamberlain to Carleton, July 19. *S. P. Dom.* xcii. 96.
§ Bacon to Buckingham, July 12. *Works*, ed. Montagu, xii. 245.

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the purchase of an estate or the imposition of a tax.* The position which he had taken was at least one from which he could withdraw with dignity. If Buckingham still wished the marriage to proceed, and if the King still wished to restore Coke to his seat in the council, he had done his duty in remonstrating, and would be quite ready to carry out any orders which might be sent to him.

Coke's assault upon Oatlands.

The letter had scarcely been despatched when Lady Compton made her appearance with a request for a warrant from the Council to enable Coke to regain possession of his daughter. As Bacon had reason to believe that this would only be the first step to a forced marriage, he declined to give her any assistance, and, if the lady is to be trusted, his refusal was couched in no very courteous terms. Lady Compton then appealed to Winwood, and easily obtained from him the authority which she desired. Thus fortified, she hurried down to Oatlands, accompanied by Coke. Around her carriage was gathered an armed retinue, consisting of Coke's servants, at the head of which might be distinguished his son Clement—Fighting Clem Coke, as he was called by his companions—who had warmly taken up the quarrel against his stepmother. On their arrival at Oatlands they found the door shut against them. Coke demanded entrance in the name of the warrant which he had in his possession. Being refused admittance, the late Chief Justice of England snatched up a log which was lying on the ground, battered in the door, and forcing his way into the house,

* A passage in Sir William Monson's advice to his Son, prefixed to his Naval Tracts, coming as it does, in the midst of the gravest exhortations to morality, will serve as a good example of the views entertained generally upon the subject.

"If you marry after my death," wrote the Admiral, "choose a wife as near as you can suitable to your calling, years, and condition; for such marriages are made in Heaven, though celebrated on earth."

"If your estate were great, your choice might be the freer; but where the preferment of your sisters must depend upon your wife's portion, let not your fancy over-rule your necessity. It is an old saying—'He that marries for love has evil days and good nights.' Consider, if you marry for affection, how long you will be raising portions for your sisters, and the misery you shall live in all the days of your life; for the greatest fortune that a man can expect is in his marriage. A wise man is known by his actions; but where passion and affection sway, that man is deprived of sense and understanding."

dragged the trembling girl to the coach in which Lady Compton was waiting to receive her.

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The next morning the Council had met for its usual Sunday consultation, when Lady Hatton rushed in to make complaint, in an excited tone, of the outrage which had been committed. The Council listened to her tale, and sent orders to Coke to appear before them on the following Tuesday to give account of his proceedings.

Lady Hatton appeals to the Council.

An hour or two later Lady Hatton reappeared. Her daughter, she said, was suffering from the violence to which she had been subjected, and it would be necessary to take immediate steps for her safety. A letter was accordingly addressed to Coke directing him to surrender the young lady to the custody of the Clerk of the Council.

Coke before the Council.

On Tuesday Coke presented himself before the Board. He began by accusing Lady Hatton of a plot to carry off his daughter to France, and added an irrelevant charge against one of her servants who had been overheard slandering Sir John Villiers. He was told that it was necessary to prove accusations as well as to bring them, and that, even if he could succeed in that, he would still have to defend himself against a charge of riot. That defence was not an easy one to make. He made no use of the warrant which he had obtained, in all probability because it directed him to apply for its execution to the ordinary officers of the law. Having preferred to do himself justice with his own hands, he must now prove the legality of his proceedings in some other way. He accordingly declared boldly that the law would carry him out in all that he had done, whether he had been provided with a warrant or no. To the astounding doctrine that the rights of a father over his child carried with them the right of breaking into any house in which she might happen to be, the Attorney-General, naturally enough, demurred, and, in order to settle the question, it was agreed that proceedings should be commenced against Coke in the Star Chamber. In the meanwhile Yelverton busied himself in the more pleasing task of putting an end to the family quarrel. He succeeded in effecting a show of reconciliation, and Frances Coke was allowed to return to her parents, to find what comfort she could in

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such a house. There was now no longer any occasion for haste, and the Star Chamber proceedings were postponed till the King's pleasure could be ascertained.*

Bacon's letters.

As soon as the commotion had quieted down, Bacon wrote once more to Buckingham and the King. To the favourite he expressed his regret that he had received no answer to his former letter, and, assuring him that he had not changed his opinion, begged him to listen to the advice which he had given.† To the King he was more explicit. He knew now that James had taken up the marriage warmly.‡ He therefore felt that he was placed on his defence. He reiterated the arguments which he had used to establish the inexpediency of showing favour to Coke. But he acknowledged, as he could not but acknowledge, that this was a question for his Majesty to decide. If the King, after weighing his advice, resolved to proceed in the matter, he would do everything in his power to carry out his wishes. He would even use his influence with Lady Hatton to obtain her consent to the marriage. But for this he must have direct orders from the King. "For if," he said, "I should be requested in it from my Lord of Buckingham, the answer of a true friend ought to be that I had rather go against his mind than against his good. But your Majesty I must obey." §

August. The King's reply.

All this reasoning fell flat upon James's ear. His dissatisfaction with Coke's late proceedings was not sharpened by any feeling of personal rivalry. He had had but one encounter with him, and from that his position had enabled him to come off victorious. We can fancy him arguing that Coke knew better now than to resist the all-powerful prerogative of the Crown. At the Council table he would be out of harm's way. He might be employed in matters of routine. There was that too in Bacon's letters which was certain to offend both Buckingham and his master. The suggestion that danger

* The King to Bacon. *Bacon's Works*, ed. Montagu, xii. 327. The Council to Lake, July 21 (?). *Camden Miscellany*, 1863. Gerard to Carleton, July 22. *S. P. Dom.* xcii. 101.

† Bacon to Buckingham, July 25. *Works*, ed. Montagu, xii. 249.

‡ Chamberlain to Carleton, July 19. *S. P. Dom.* xcii. 96.

§ Bacon to the King, July 25. *Works*, ed. Montagu, xii. 247.

might arise to either of them from the readmission of Coke to power, implied the possibility of their being unable to defend themselves against the turbulent lawyer. If this had been all, it would have been enough to account for James's irritation. But, in addition to Bacon's own letters, complaints were carried northwards by every post against the upstart Lord Keeper, whose head had been turned by prosperity, and who had become reckless of his duty in his desire to satisfy his hatred. James accordingly replied in an angry tone,* and Bacon, anxious to carry out the King's wishes, sought a reconciliation with Lady Compton, and assured her that he was ready to do everything in his power to forward the match.† To the King he sent a lengthy apology, assuring him that he had acted for the best, and that he was now ready to leave everything in his Majesty's hands.‡ If Bacon had hitherto been actuated by any sympathy with Frances Coke, or by any notion that the sacredness of marriage would be profaned by the intrigues of Coke and Buckingham, his present conduct would have been unutterably base. As it was, he did nothing of which a man in his day had any reason to be ashamed. He had done his duty by remonstrating against a political evil. When he learned that the King refused to listen to his remonstrances, he proceeded to carry out his Majesty's orders. To him it made no difference whether those orders were to procure a wife for Sir John Villiers, or to seal a patent conferring on him a pension out of the Exchequer.

He soon learned, however, that his motives had been grievously misapprehended at Court. Buckingham contented himself with a dry acknowledgment of the receipt of his last letter. James indulged in a long tirade, to which Bacon could only reply that he reserved his defence till his Majesty's return.§

* The letter has not been preserved, but its tenour may be gathered from Bacon's reply.

† Bacon to Buckingham, Aug. 23. *Works*, ed. Montagu, xii. 250.

‡ Bacon to the King. *Works*, ed. Montagu, xii. 324. I suspect this letter was written on the 23rd. At all events, the date given is wrong.

§ Buckingham to Bacon, Aug. 25. The King to Bacon, Aug. 25 or 26. Bacon to the King, July 31 (perhaps Aug. 31). *Works*, ed. Montagu, xii. 331, 327 64.

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August. Coke's visit to the King.

James had by this time, recrossed the Border, and was making his way southward by slow journeys through the northern counties. On the 28th of August, Coke presented himself before him and was highly pleased with his reception.* He had a fresh petition to make. His wife, as a last resource, had lately produced the imaginary contract between her daughter and the Earl of Oxford, and he now appears to have obtained permission to summon her before the Council. At least, it was immediately after his return that she was, at his complaint, committed to custody by the Board.†

Sept. Yelverton's visit.

A few days afterwards, Yelverton went down to give his own version of the story. He found that Buckingham had been openly declaiming against Bacon's ingratitude, and that every one at Court looked upon his disgrace as certain. Nevertheless, Yelverton advised him to maintain his ground boldly, and, whilst giving an unvarnished account of everything that had passed, to throw the blame upon the headstrong violence of his rival.‡

Bacon restored to favour.

Yelverton's plain statement of the case was not without effect. It was very different from the story which Buckingham had heard from Coke. He had imagined Bacon as bent upon thwarting his wishes, and as being resolved at all hazards to punish a political rival. He found a friend whose intentions at least were undeniably good. Two days after Yelverton left him, he wrote to the Lord Keeper to assure him that he would no longer listen to any unfavourable rumours in his absence, and to convey a message from the King to the effect that he would promise to keep one ear open to him.§ After this Bacon could have but little difficulty in making his peace. He completed his success by offering to apologise in writing. Buckingham replied that he was now so well satisfied, that he had forgiven everything; adding characteristically enough, that, if the King also had forgotten the past, it was entirely owing to his own inter-

* Lake to Winwood, Aug. 28. *S. P. Dom.* xciii. 69.

† Complaint against Lady Hatton. Campbell's *Chief Justices*, i. 300. Council Register, Sept. 1 & 3.

‡ Yelverton to Bacon, Sept. 3. *Bacon's Works*, ed. Montagu, xii. 341.

§ Buckingham to Bacon, Sept. 5. *Bacon's Works*, ed. Montagu, xii. 341.

cession, and that he was sure that no other man in England could have done as much.*

Throughout the whole of this wretched affair, Bacon's conduct had been thoroughly consistent. It was the King's business, and not his, to dispose of the patronage of the Crown. Yet, it must undoubtedly have cost him something to find his opinion slighted. But he did not see, or did not care to see, that the King's prostration at the feet of Buckingham was more than a temporary evil, or that the disease which was growing up would require a sharper cure than any that his statesmanship was able to administer. To see this would not only have involved his own retirement from office, and his condemnation to a life of inaction and obscurity, but it would have driven him to an acknowledgment of the insufficiency of those monarchical theories to which he clung so tenaciously. It was too late for him to discover that the work of providing checks upon the royal power would have to be commenced anew. Such discoveries are never made but by young or disappointed men. And so he went on from day to day, doing his work unremittingly and cheerfully; half persuading himself that evil which he could not control was no evil at all, till at last his own errors and the errors of others drove his bark upon the rocks, and his course came to its sad and gloomy end amongst those clouds which, almost to this day, have rested heavily on his memory.

Sept. Bacon's part in the affair.

On the 28th of September, Coke once more took his place at the council table.† On the following day he paid the price of his restoration to favour. His daughter's marriage was celebrated at Hampton Court. The King gave away the bride.‡ Coke was in high spirits, and almost fancied himself again upon the Bench. His wife deliberately kept away. It was in vain that her daughter had written, under dictation, to beg her consent to the marriage, saying, truly enough, that she

Marriage of Frances Coke.

* Buckingham to Bacon. *Bacon's Works*, ed. Montagu, xii. 342. Weldon's story of the meeting of Bacon and Buckingham, may be dismissed at once. Perhaps he saw something on which he founded it, but who can say what it was?

† Herbert to Carleton, Oct. 6. *S. P. Dom.* xciii. 114.

‡ Chamberlain to Carleton, Oct. 11. *S. P. Dom.* xciii. 124.

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was a mere child without understanding in the ways of the world. She did not know, she added, what was good for her, and she might perhaps, by yielding, put an end to the sad quarrel between her parents, and regain the King's favour for her father. As for Sir John, he was well enough. He was a gentleman by birth, and she had no reason to dislike him.* Lady Hatton was inexorable. She would not come to the wedding. Yet, if the bridegroom had been a man capable of inspiring respect or love, the marriage might still have been a happy one. As it was, the issue of that day's work was a tragedy hardly inferior to that which sprung from the marriage of Lady Essex.

October. Coke's disappointment.

If Coke expected great things from the King, it was not long before he was undeceived. He had been restored to his seat at the Council; but he had got nothing more. In addition to the 10,000*l.* which he had originally promised to his daughter, he had redeemed by a payment of 20,000*l.* the estates which were settled upon her at his death, and there was nothing more to be extracted from him.† The penalty for the wicked compact was first exacted, as was most just, from the man who should have been the last to enter into it. He had sold his daughter for fairy gold, and it had turned into dust in his hands. The day would come when, weary of disappointment and neglect, he would turn round upon the system by which he had hoped to profit, and would call to account the statesman whom he hated and the favourite whom he despised. If he had shared in Bacon's success, it is hardly likely that his eyes would have opened so readily to the abuses of the Government.

November. Lady Hatton in favour.

Now, that Coke had no more to give, it was time to lay siege to Lady Hatton. On the 1st of November, all London was astonished by the news that Buckingham had driven up to the house in which she was a prisoner, and, after informing her that she was now at liberty, had carried her with him to her father, the Earl of Exeter. On the 8th, she gave a grand banquet at Hatton House. The King himself, who did not

* Frances Coke to Lady Hatton. Campbell's *Chief Justices*, i. 302.
† Chamberlain to Carleton, Oct. 31. *S. P. Dom.* xciii. 158.

think it beneath him to take part in this discreditable attempt upon the lady's purse, was present at the feast. When he accepted the invitation, he expressed a hope that she would consent to a reconciliation with her husband. She replied that if Coke came in at one door, she would walk out at the other, and she gave strict injunctions to her servants to allow neither her husband nor any of his sons to enter the house. Her anxiety was unnecessary. Coke remained quietly in his chambers at the Temple, whilst the King and the remainder of his wife's guests were enjoying the hospitalities of Hatton House. James was merry enough. He knighted four of his hostess's friends in the course of the evening, and gave her half a dozen kisses as he left the house. For some time Lady Hatton was in high favour at Court. But it soon appeared that she would struggle as hard to avoid parting with her money to her son-in-law, as she had formerly struggled to avoid sharing it with her husband.* A year or two later, when all other persuasions had failed, she was offered a peerage, on condition that she would make over her Corfe Castle estate to Sir John Villiers. Upon her rejection of the compact, she was told that, if she still refused, her husband would be created a baron to spite her.† Even such a threat as this was made in vain, and the tide of her favour sunk as rapidly as it had risen.

November.

Not many weeks after Coke's re-admission to the Council, death removed his chief supporter from the scene of his former activity.‡ It may be that Winwood saw in the attempt upon Buckingham's favour a path by which his own anti-Spanish policy might regain the upper hand. But however that may have been, he was probably fortunate in the termination of his career. It can hardly be doubted, that if he had lived till the following summer he would have shared in Raleigh's ruin.

October. Death of Winwood.

Many were the suitors for the vacant secretaryship. Carleton hoped to succeed his political ally, and he had

Candidates for the secretaryship.

* Chamberlain to Carleton, Nov. 8. Pory to Carleton, Nov. 8. Peyton to Carleton, Nov. *S. P. Dom.* xciv. 12, 15, 23.

† Chamberlain to Carleton, May 31, 1619. *S. P. Dom.* cix. 61.

‡ Chamberlain to Carleton, Oct. 25, 31, 1617. *S. P. Dom.* xciii. 140, 158.

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many friends at Court. But unluckily for his prospects, when he was last in England, Buckingham was only just rising into power, and he had not been sufficiently quick-sighted to detect the necessity of bowing down before the new idol.*

Lord Houghton, who, as Sir John Holles, had been fined for his audacity in questioning the verdict of the jury in Weston's trial, had arguments in his favour of a different kind. He had bought forgiveness and a peerage with 10,000*l.*, and he hoped that another 10,000*l.* would make him secretary.†

1618. Jan. 8. Naunton appointed.

For some time it appeared as if no appointment would be made. James said that he had never been so well served as when, after Salisbury's death, he had been his own secretary. He therefore placed the seals in Buckingham's hands, and, making over the whole of the foreign correspondence to Lake, attempted to perform the rest of the business himself. But both James and Buckingham were soon tired of the undertaking, and on the 8th of January, less than three months after Winwood's death, the seals were given to Sir Robert Naunton, a quiet second-rate man, whose opinions so far corresponded with those of his predecessor, that he might be safely employed to write despatches to Protestant Courts. He was not likely, however, to have a will of his own, and he consented to make Buckingham's youngest brother Christopher heir to lands worth 500*l.* a year.‡

Jan. 1. Buckingham created a marquis.

Already Buckingham and Bacon had received an almost simultaneous token of the King's regard. On the 1st of January, the favourite rose a step in the peerage, and exchanged the Earldom for the Marquisate of Buckingham.

Jan. 7. Bacon Lord Chancellor.

On the 7th, the Lord Keeper was elevated to the dignity of Chancellor. Six months later he was raised to the peerage, by the title of Lord Verulam, a name which posterity has unanimously agreed to ignore.§

* Carleton to Chamberlain, Nov. 8, 1617. *S. P. Holland.*

† Sherburn to Carleton, Nov. 7, 1617. *S. P. Dom.* xciv. 11.

‡ Chamberlain to Carleton, Nov. 8, 1617. *S. P. Dom.* xciv. 12, Council Register, Jan. 8, 1618. Salvetti's News-Letter, Jan. $\frac{14}{24}$, 1618.

§ The name, Lord Bacon, is that by which he was known whilst he was Lord Keeper, or Lord Chancellor, before his elevation to the Peerage. In the same way Lord Chief Justice Coke was spoken of shortly as Lord Coke.

In small things, Bacon's word was gladly listened to. In great things, unhappily, James followed his own devices. Digby had sailed for Spain in August, boasting to Gondomar before he went that his master was about to put a bit in the mouth of the Puritans, and assuring the Spaniard that in matters of religion, thorough satisfaction would be given to his Catholic Majesty.*

1617. Aug. 28. Digby sails for Spain.

Digby no doubt fancied that he would be able to satisfy his Catholic Majesty very much more cheaply than was really possible. For a whole twelvemonth at least before the arrival of the English Ambassador, the Spanish ministers had been engaged in anxious deliberations in order to come to a final understanding amongst themselves upon the demands which they were to make. In the autumn of 1616, Philip once more applied to the Pope for advice. The reply which he received was most discouraging. Paul said that his opinion was still unchanged. He could not give his consent to any terms which did not include the conversion of the Prince, and the legalised exercise of the Catholic religion in England. Still, if the King of Spain thought it right to listen to any proposition short of this, he would promise to give it his most serious consideration. More than this he could not say.†

1616. August. Philip's fresh application to the Pope.

Once more the Theologians were summoned to Madrid to take counsel over this knotty point. They were in a different position from those who had been brought up for a similar purpose three years before. The Pope's opposition was no longer a secret, and it was now known that James, to say the least of it, had shown no remarkable eagerness to alleviate the lot of the English Catholics. It is no wonder, therefore, that they were unanimous in requiring some unexceptionable guarantee that James would perform his promises. The remission of the penalties imposed upon the English Catholics must be confirmed by some solemn and public act. Nor would even this be enough. If James expected to see the Infanta in England at all, he must carry his promises into effect before her arrival. She must be detained in

1617. The Theologians again consulted.

* *Francisco de Jesus*, 17.

† Philip III. to Cardinal Borja, $\frac{\text{Aug. } 31}{\text{Sept. } 10}$. Cardinal Borja to Philip III., Oct. $\frac{11}{21}$, 1616. *Francisco de Jesus*, 13, 14. Note.

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Spain for three years in order that the value of the engagements of the English Government might be put to the test of actual experience. When the three years were at an end, the Prince was to come in person to Madrid to fetch away his bride, as it was not unlikely that his conversion might be effected during his visit.* The marriage treaty was to be confirmed by Act of Parliament, and not a penny of the portion was to be paid till its stipulations had been actually carried out in England. The demands which followed were no less exacting in their nature. James and his son were to bind themselves not only to abstain from employing force to compel the Infanta to change her religion, but to abstain even from the use of persuasion. In other words, Charles was to promise never to speak to his wife on religious subjects at all. There was also to be a large church in London open to all the world, and severe punishment was to be inflicted upon those who in any way insulted the worshippers. The priests were to be allowed to walk about London in their ecclesiastical dress, and were to be placed under similar protection.†

Decision of the Spanish Government.

During the whole of the spring and summer, the question of the English marriage was bandied about between the King and the Council of State, and between the Council of State and the Theologians. At one time Philip was inclined to throw up the whole negotiation. His third and youngest daughter, the Infanta Margaret, a child of seven years, died. She had been promised in marriage to the young Archduke John, the eldest son of Ferdinand of Styria. Ferdinand now offered to take the Infanta Maria in her sister's place. The offer was a tempting one; for the boy, if he lived, would probably be emperor.‡ But the hope of the conversion of England was too enticing to be lightly thrown away, and the fear of

* "Porque puede ser algun medio para la conversion de aquel Principe, y pertenece á la decencia y autoridad de la Señora Infanta."

† Consulta of the Junta of Theologians, Jan. $\frac{16}{26}$. *Simancas MSS.* Est. 2518. Articles drawn up by the Theologians, $\frac{\text{Feb. 17}}{\text{Feb. 27}}$, 1617. *Francisco de Jesus.* App. 5.

‡ He died in a few years. His brother, who became the Emperor Ferdinand III., was eventually the husband of the Infanta.

driving James into the arms of the enemies of Spain was ever present to the mind of Philip's ministers. It was therefore finally determined that the Theologians should draw up articles in conformity with the opinions which they had expressed, and that these should be presented to Digby on his arrival. If he consented to the proposed guarantees, a great step, it was thought, would have been gained towards the overthrow of English Protestantism. If not, the negotiation might be protracted as long as possible, and when the breach came at last, the blame might be thrown upon the inexorable firmness of the Pope. On the 5th of September, the articles were ready. If anything, they were more stringent even than the resolutions which the Theologians had agreed upon. In particular, James was required to promise that he would as soon as possible obtain an Act of Parliament repealing all the laws against the Catholics.*

Sept. Additional proposals of the Theologians.

How little these Spanish Theologians knew of England, appears more plainly from another paper drawn up by them on the same day. The additional proposals which it contained were not, they said, to be pressed; but they thought them to be such as might be laid before Digby, if a favourable opportunity occurred. The demands thus made were certainly startling. The Prince was to be asked to change his religion. Public liberty of worship was to be granted to the Catholics, with permission to erect churches wherever they pleased, a permission which was to be duly confirmed by Act of Parliament. Lastly, Catholic professors were to be allowed to teach in the universities.†

Sept. Negotiations opened with Digby.

These preposterous demands were not adopted by the Spanish Government. The other articles were placed in the hands of Aliaga, the King's confessor, the only one

* Memoir on the state of the negotiations, May (?). Uzeda to the Cardinal of Toledo, Aug. $\frac{4}{14}$, $\frac{16}{26}$. Articles drawn up by the Theologians, Sept. $\frac{5}{15}$, 1617. *Simancas MSS.* Est. 2859, 2519, 2518. M. Guizot has inferred from the Consultas of July $\frac{7}{17}$, and $\frac{\text{July 24}}{\text{Aug. 3}}$, that the only intention of the Spanish Government was to spin out the negotiations. (*Un Projet de Mariage Royale*, 60.) The papers containing evidence of the scheme for the conversion of England do not seem to have fallen into his hands.

† Additional articles, Sept. $\frac{5}{15}$, 1617. *Francisco de Jesus.* App. 5.

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amongst the Theologians, who was allowed to speak a word to Digby on the subject.* In the previous discussions, Aliaga's voice had always been raised against unnecessary concessions, and it was therefore supposed that he would be more likely to hold his own in the diplomatic struggle which was impending.

No sooner had Digby arrived, than he was asked by Aliaga whether he was prepared to grant liberty of conscience,—that is to say, not merely connivance at the breach of the penal statutes, but a total repeal of the statutes themselves. Digby replied with courtesy. He should be glad, he said, to see such a change in the law, but for the present at least it was absolutely impracticable. The consent of Parliament must be obtained, and no possible Parliament would consent to the measure on any consideration whatever. He had brought no instructions relating to the English Catholics. It was a matter which must be reserved for direct negotiation with his master. All that he was empowered to do was to discuss the articles relating to the Infanta and her household, and to come to an understanding on the amount of the portion to be paid by the King of Spain.

1618. Digby's conferences with Aliaga.

Aliaga at once saw that the struggle on the point in which he was chiefly interested was postponed. He was far too skilful not to perceive that it was his interest to avoid all irritating topics for the present. Instead, therefore, of producing the proposals of the Theologians, he opened the discussion upon Digby's twenty articles with a determination to send him away as well pleased as possible. Ignorant as he was of the Spaniard's real feelings, Digby was delighted with his reception. Everything, he assured James in his despatches, was going on well. Some slight alterations in the articles had been demanded, and he had noted them down for reference to England. As to the portion, the full sum of 600,000*l.* would be given, and he had been assured that if the King of England would only give satisfaction on the point of

* Lerma to Aliaga and others, $\frac{\text{Sept } 24}{\text{Oct. } 4}$. Consulta of the Council of State, $\frac{\text{Sept } 30}{\text{Oct. } 10}$, 1617. *Simancas MSS.* Est. 2859, 2518.

religion, he should have nothing to complain of with respect to money.*

1618.

May.

His return to England.

After a few months' stay at Madrid, Digby's work was finished. He hastened his return to England, in order that the important question of toleration might be settled before Gondomar left his post. But the Spanish diplomatist was unable to bring even James to consent to the new and exorbitant terms which were now demanded by his master. James, indeed, was ready to promise anything in vague generalities. He would do everything that he could, but a complete revocation of the penal laws was not his to grant.†

The negotiation suspended.

And so it seemed that, after four years of constant discussion, the project, from which so much had been hoped on both sides, had come to nothing. James could not give way if he would, and Lerma, speaking in Philip's name, would not give way if he could. If, indeed, circumstances were to arise which would make it more than ordinarily important to humour the King of England, it was still possible that Lerma might be induced, at least in appearance, to reconsider his decision. But, for the present, it seemed hardly likely that anything of the kind would take place. Yet neither party was willing to break off the negotiation. James could not so easily give up all hope of the 600,000*l.* which were to have paid his debts, and, as usual, his indolence of temper led him to postpone a decision as long as possible. On the other hand, Lerma would have counted it a good stroke of policy, if he could have gone on bandying the marriage backwards and forwards between London and Madrid at least as long as there was a single French princess left unmarried.‡

* Paper given by Digby to Aliaga, Dec. $\frac{7}{17}$, 1617. Digby to Aliaga, Feb. $\frac{9}{19}$. Memoir on the state of the negotiation, March (?), 1618. *Simancas MSS.* Est. 2859. Digby to the King, Oct. 8, 1617. Jan. 15, March 20, 1618. *S. P. Spain. Francisco de Jesu. Add. MSS.* 14,043, fol. 65, 71, b.

† *Francisco de Jesu*, 22—24.

‡ I did not meet at Simancas with any of Gondomar's despatches, containing particulars of these final conversations. On the 28th of July, Salvetti wrote that it was thought that the questions in dispute would have to be referred to Rome. I suspect that Gondomar threw the blame of the difficulty on the Pope, and perhaps hinted that Philip would be ready to put a pressure on the Court of Rome.

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1618. Nov. Digby raised to the peerage.

The only man who had hitherto gained anything by the negotiation was Digby. So pleased was James with his ability and zeal, that in the November after his return he raised him to the peerage by the title of Lord Digby of Sherborne.

1617. The proposed expedition against the pirates.

The other negotiation with which Digby had been entrusted had hardly reached a more promising stage. One obstacle indeed had been cleared out of the way of the expedition against Algiers before the ambassador left London in 1617. The Dutch at least would not hear of any co-operation with the Spanish fleet,* and Digby was therefore spared the annoyance of proposing to unwilling ears a close alliance between the countrymen of Alva and the countrymen of Heemskerk.

Yet even if the English fleet was to come alone, the prospect could not fail to be most distasteful to the Spanish ministers. They listened to Digby's arguments,

1618. but it was only after a delay of several months that they replied that the English might come if they pleased, but under no circumstances could the two nations act together. Such was the promising commencement of that alliance which was to be the guarantee for the peace of Europe.†

Yet even this amount of cordiality did not last long. Not many days after the concession had been made, news arrived from America that a Spanish town had been burned to the ground, and that Spaniards had been massacred by a band of Englishmen.‡ The Government at once caught at the excuse, and refused to say anything more about the pirates till reparation had been made.§ For the jealousy with which Spaniards regarded

* Lake to Carleton, May 6. Winwood to Carleton, June 4. Carleton to Lake, June 7. Carleton to Winwood, Aug. 12. Carleton Letters, 135, 136, 148, 160.

† Lerma to Ciriza, Oct. $\frac{20}{30}$. Consultas of the Council of State, $\frac{\text{Oct. 30}}{\text{Nov. 9}}$, $\frac{\text{Nov. 25}}{\text{Dec. 5}}$, 1617. Philip III. to Gondomar, $\frac{\text{March 22}}{\text{April 1}}$. Consulta of the Council of War, April $\frac{14}{24}$. Consulta of the Council of State, April $\frac{18}{28}$, 1618. *Simancas MSS.* Est. 2850.

‡ Philip III. to Gondomar, $\frac{\text{May 30}}{\text{June 9}}$, 1618. *Simancas MSS.* Est. 2572.

§ Sanchez to Philip III., Jan. $\frac{7}{17}$, 1618. Memoir on the Junction of the Armadas. *Simancas MSS.* Est. 2599, 2601.

the entry of armed Englishmen into the Straits of Gibraltar was as nothing to the jealousy with which they regarded the presence of even unarmed Englishmen in the Indies.

March 29. Raleigh leaves London.

To understand the causes of the displeasure of the Spanish Government, it is necessary to go back to the point at which, more than a year before, Raleigh had set out on his voyage. It was on the 29th of March, 1617, that he left London to join his ship at Dover, from whence he made the best of his way to Plymouth. Already, as he lay in that fair harbour, where the sloping woods and the rocky shores must have been fraught for him with memories of happier days, the shadows were falling thickly upon him. One of his captains, Sir Warham St. Leger, had been detained in the Downs by an accident to his vessel. His vice-admiral, Pennington, one of the most promising seamen of the day, had been stopped off the Isle of Wight for want of money, and had been unable to persuade the bakers to supply his ship with bread for the voyage. In despair, he had ridden up to London to appeal for help to Lady Raleigh. Poor Lady Raleigh had no money to give him; but she wrote to a friend at Portsmouth, who advanced the requisite 30*l.* to enable him to provision his ship. Two others of Raleigh's captains were in similar difficulties, and it was only by selling his plate that he was able to provide for their necessities.*

His negotiations with Montmorency.

There can have been few in England who had much hope of Raleigh's success. If he himself did not despair, it was only because he was determined that whatever means he was driven to use, he would not fail. As he was passing the Isle of Wight he was joined by Faige, the emissary whom he had despatched to Montmorency, and he immediately sent him back to France to complete the arrangements with which he had been charged.† Faige returned to him at Plymouth, bringing a letter from Montmorency, by which the Admiral of France bound himself to do his best to obtain from the King permis-

* Cayley, *Life of Raleigh*, ii. 117.

† Examination of Belle, March $\frac{10}{20}$, 1618. *Simancas MSS.* Est. 2598.

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sion for him to put into a French port on his return with his ships and men, together with any goods which he might have acquired by trade or otherwise.*

Murder of Ancre.

Since Raleigh had left London, an event had occurred in Paris which served to raise his hopes of receiving assistance from the French Government. Lewis had long borne with equanimity his exclusion from power by his mother and his mother's favourite; for his nature was singularly sluggish, and he loved better to amuse himself with his dogs and his falcons than to trouble himself with affairs of state. But there were others who were not equally resigned to insignificance. Luynes, the page who kept his hawks, and Vitry, the captain of his guard, hated Ancre as a rival, and they had little difficulty in obtaining from their master an order for the assassination of the man whom, king as he was, he was unable to reach in any other way. The upstart Italian was, accordingly, cut down in the streets of Paris, amidst the plaudits of the whole nation.

The cry of exultation which was raised in France, was echoed in all Protestant lands.† The Queen-Mother had always been regarded as the chief supporter of the Spanish party. James himself was carried away with the tide, and for once found himself giving expression to opinions in complete accordance with those of Winwood and Raleigh. No doubt their reasons were very different. James wrote to congratulate the young sovereign of France, because he had released himself—no matter by what means—from the domination of a subject.‡ Raleigh wrote to congratulate the French statesmen who were his friends, because he hoped that France had, once for all, shaken off the yoke of Spain.§ With grim facetiousness, Winwood sent his congratulations to Gon-

* He was to be admitted "avec tous ses ports, navires, equipages, et biens par lui traités ou conquis." Declaration by Montmorency, $\frac{\text{April } 27}{\text{May } 7}$, 1617. *Simancas MSS.* Est. 2598.

† In England, a play was written on the subject, which was interdicted by the Government. Collier's *Annals of the Stage*, i. 408.

‡ The original holograph letter is in the Bibl. Imperiale.

§ Raleigh to Bisseaux, May $\frac{14}{24}$, 1617. *Simancas MSS.* Est. 2595.

domar, upon the happy change which had taken place in France.*

Faige returns to France.

The letter in which Raleigh expressed his joy at Ancre's murder was carried by Faige,† who took with him another French seaman, named Belle, who was equally in Raleigh's confidence. They were to take charge of four French vessels which were fitting out at Havre and Dieppe, and to follow the English squadron to the mouth of the Orinoco.‡

As usual, Raleigh had not chosen his confidants wisely. Faige and Belle had no thought of executing his orders. They seem to have preferred the chances of a commercial voyage in the Mediterranean to the risk of hard blows in the Indies.§ They did not gain much by the change. The vessel in which they sailed was taken by pirates. Faige, landing at Genoa without a penny, soon

* Salvetti's *News-Letter*, $\frac{\text{April 24}}{\text{May 4}}$, 1617.

† Mr. Edwards (ii. 345) asks what became of the answer to this, and how Raleigh's letter in the original came to be carried to Madrid. He will see that the letter was never delivered, and therefore remained in possession of the bearer.

‡ Compare Raleigh's letter to Bisseaux, with Belle's examination, March $\frac{10}{20}$. *Simancas MSS.* Est. 2598. In the minutes of Gondomar's despatches of Oct. $\frac{12}{22}$, Nov. $\frac{5}{15}$, the following passage occurs :—"El Conde de Gondomar . . ha savido que desde allí," *i.e.* the Canaries, "escrivió el dicho Gualtero al Conde de Sutanton que le avia parecido la mejor resolucion de todas, esperar en aquellas islas la flota de España que trae la plata, y que con algunos navios Franceses que se le avian juntado, se hallava tan fuerte que esparava no se escaparia ninguna parte della." As it stands, this is, of course, inadmissible. No French ships joined Raleigh at the Canaries. But as nothing was known about Faige in London or Madrid at this time, it is hardly likely that it is all pure invention. May not Raleigh have written, that if he were joined by the French ships, he intended to attack the Spanish fleet? Some such plan had been proposed apparently some years before, when James had been requested by the Duke of Rohan to set Raleigh free. Being reminded of this after his return, Raleigh answered, "that for his negotiation with the Prince of Rohan and his brother, he confessed there was a purpose, with seven or eight good ships to be furnished by the French, to set upon the Indian fleet as they came homeward, or else missing it, to pass on to the mine; and he saith that the cause that this succeeded not was that your Majesty would not let him go to the Prince of Rohan, having denied him before to the King of Denmark, who would have had him for his Admiral." Wilson to the King, Oct. 4, 1618. *S. P. Dom.* ciii. 16.

§ Belle's statement, that he left Raleigh because he did not like to join a party of Huguenots, is, of course, only to be taken for what it is worth. But I do not see that a flourish of this kind discredits his statement in other respects.

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The plan betrayed to the Spaniards.

found himself within the walls of a debtor's prison. Belle made his way to Rome. He unbosomed himself to his confessor, and was, at his own request, sent to Madrid to tell his story there.* Raleigh, he said, intended to commence by an examination of the mine; after which, if it proved to be of any value, he was to attack Trinidad and Margarita. As soon as he had done what damage he could by sea and land, he would return to Europe for reinforcements.† The Spanish government listened to his tale, took from him what papers he had, and tossed him a hundred ducats to pay his expenses back to Dieppe.‡

Raleigh's intentions.

What may have been the exact scheme which had taken possession of Raleigh's mind, it is of course impossible to say. Belle may have exaggerated what he heard,

* Cardinal Borja to Arostegui, enclosing Belle's memorial, Nov. $\frac{13}{23}$, 1617. *Simancas MSS.* Est. 1866.

† "Preguntandole que intencion llevaba Guatterale, y la navegacion que avia de hazer, dixo la costa hasta el rio Orinoco, y reconocer una mina que hay allí cerca de la boca, y aviendo reconocido la sustancia y riqueza que tenia, volverse corriendo la costa la vuelta de la Trinidad y Margarita con intento de tomarlos; haziendo el daño que pudiesse en mar y tierra, y volver á rehacerse de gente y navios para hazer segundo viaje á Orinoco." Belle's Examination, March $\frac{10}{20}$, 1618. *Simancas MSS.* Est. 2598.

Of the genuineness of these papers there cannot be the slightest doubt. The internal evidence is in their favour. They tell much less than a forger would have made them tell. The sentence given above is all that refers to Raleigh's intentions. Everything of importance is left for Faige to tell by word of mouth. Raleigh's autograph signature to the letter to De Bisseaux is unmistakable, excepting on the supposition of a skilful forgery, which would have been useless unless these papers were to be made public, which they never were. Besides, Raleigh afterwards, as will be seen, acknowledged having received the letter from Montmorency. It is another question whether Belle told a true story. I incline to think he did, partly because it is in itself probable, and partly because, if he had invented his account, he would have invented something much more stirring. Of course it does not follow that Raleigh may not have been speaking loosely. It is possible to pick holes in every piece of evidence brought in his disfavour. The strength of the case against him lies in the fact that a variety of independent witnesses give evidence which all tends to the same point. Mr. St. John, in his *Life of Raleigh*, says (ii. 230, note):—"To these pirates Raleigh is said to have intrusted his letters to Montmorency, of which, though they must have delivered them, since answers they said were sent, they yet pretended to possess the originals." This is, however, a mistake. The only original produced was the one to De Bisseaux, which was never delivered; it is of this particular letter that Belle says, "y esta carta me la ha entregado original."

‡ Consulta of the Council of State, $\frac{\text{June } 23}{\text{July } 3}$, 1618. *Simancas MSS.* Est. 2515. Belle appears not to have asked for any reward beyond the payment of his expenses, which is in his favour. The hundred ducats were only equivalent to 25*l.*

or Raleigh, as his wont was, may have flung about his words at random. Raleigh's own account of the matter, given at a time when he was no longer able to conceal that he had sailed with the intention of breaking his promise to the King, was that he intended to use the Frenchmen in an attack upon San Thome, whilst he was himself making the best of his way to the mine.* But that the purpose of attacking Trinidad and Margarita was at least floating in his head, is probable enough. That the discovery of the mine, if it was to be of any use, would ultimately lead to war with Spain, no man knew better than Raleigh; and it was to the discovery of the mine that he looked for the golden key which would enable him to open the way to James's favour. The idea that it was possible to establish a peaceable colony around a gold mine in the centre of the Spanish Indies, was, as he knew perfectly well, the veriest hallucination that had ever crossed a madman's brain. Yet it was to this, foolish and impracticable as it was, that he was pledged by the most solemn promises to confine himself. It was to success alone that he could look to redeem the pledges by which he was bound. If, as soon as he had found the mine, he could strike a blow which would weaken the hold of Spain upon the whole district of the Orinoco, he would be able, upon his return, to present to England or to France, it hardly mattered which, the attractive bait of a golden treasure, the guardians of which had been already overpowered.

Raleigh leaves Plymouth.

And so, with a mind full of anxiety for the future, Raleigh prepared for sea.† On the 12th of June, his little squadron of fourteen vessels set sail from Plymouth. Disaster attended him from the first. The winds were contrary, and he was forced to seek for shelter in Fal-

* After his return, Raleigh told Wilson "that his first dealing with Captain Faige was well known to your Majesty." That is to say, I suppose, his sending him to Montmorency, for permission to take shelter in France, "and his last at Plymouth about bringing French ships and men to him to displant the Spaniards at San Thome, that the English might after pass up to the mine without offence." Wilson to the King, Oct. 4, 1618. *S. P. Dom.* ciii. 16.

† Raleigh's orders have often been quoted as a model of forethought and perspicuity. They show his anxiety not to fight unless attacked by the Spaniards, at least till he reached the Orinoco.

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mouth harbour. Again he put to sea, and again the storm swept down upon his course. One of his vessels sunk before his eyes. Another was driven for refuge to Bristol. With the shattered remnants of his fleet he found safety in the harbour of Cork. It was not till the 19th of August that he was once more ready to venture upon the Atlantic.

He is driven into Cork.

His proceedings at the Canaries.

On the 7th of September the fleet cast anchor at Lanzarote, one of the Canaries. The Spanish governor, who had, no doubt, been warned of Raleigh's approach, regarded him with suspicion. He withdrew his troops to the interior of the island, and refused to furnish the English with the provisions of which they were in so much need. Two of Raleigh's sailors, wandering about the island, fell in with the Spanish sentinels, and lost their lives in attempting to drive them from their post. It was not without difficulty that Raleigh prevented his crews from marching in a body to take revenge for their comrades. Being unable to conciliate the governor, he sailed away for the Grand Canary, where he met with an equally inhospitable reception. Not only was permission to buy provisions refused, but an attack was made upon his men as they were filling their water-casks on the beach. At Gomera, Raleigh was more successful. He persuaded the governor that he was not a pirate, and was allowed to take in fresh provisions and water in peace.*

Desertion of Bailey.

Annoyances of this kind were nothing more than the ordinary difficulties which such men as Raleigh were accustomed to expect. The insubordination which manifested itself in his fleet was a very different matter. He had long known how terribly the policy of James had told upon the discipline of his crews. He now learned that the infection had spread to the officers. One of his commanders, Captain Bailey, had captured a small French vessel, and wished to detain it on the plea that part of its cargo was the produce of piracy. Raleigh told him

* Raleigh's Diary. *Discovery of Guiana*, 179. *Carew Letters*, 134. Memoir of Lorenzo de Torres. *Simancas MSS.* Est. 2598. An English prisoner taken on the Grand Canary, being asked where Raleigh was going, prudently answered, that he was bound for Virginia, or anywhere else that suited him better.

that, even if this were the case, the Frenchman was justified by the doctrine of no peace beyond the line.* At this Bailey took offence, and, slipping away from the fleet, made the best of his way to England. On his arrival, he gave out that Raleigh was going to turn pirate, and was perhaps meditating high treason itself. He was immediately summoned before the Council, and committed to prison for traducing his commander. He was only liberated, after an imprisonment of seven weeks, upon making a humble acknowledgment of his offence.† Here, at least, no traces are to be found of that settled design to ruin Raleigh, which is sometimes attributed to the Government.

Sufferings on the voyage.

It seemed as if the elements were leagued against the ill-fated squadron. Raleigh made for the Cape de Verde Islands, intending to replenish his empty water-casks. He had not cast anchor many hours before a hurricane swept down upon him in the darkness of the night. The cables parted, and, with imminent risk of shipwreck, the whole fleet was driven out to sea. It was in vain that Raleigh attempted to regain the anchorage. The storm continued to rage, and, with a heavy heart, he gave orders to steer for the coast of Guiana. According to all ordinary calculations, it was a passage of fifteen, or, at the most, of twenty days. But in this voyage all ordinary calculations were at fault. For forty days, calms and contrary winds detained him upon the Atlantic. The tropical rains came plashing down through the sultry air. Water was running short, and the want of fresh provisions was severely felt. Sickness was raging amongst the crews, and scarcely a day passed in which Raleigh had not to chronicle, in the sad diary which he kept,‡ the death of some one of those whom he valued most. One day he was grieving over the loss of his principal refiner, upon whose services he had counted. Then it was one of his cousins who was gone. On one day five corpses were cast overboard, and amongst them

* Raleigh's Apology. *Carew Letters*, 129.

† Proceedings before the Privy Council, Jan. 11, 1618. *Camden Miscellany* (1863). *Carew Letters*, 133, 138.

‡ Raleigh's Diary in Schomburgk's edition of *The Discovery of Guiana*, 185—197.

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those of Captain Pigott, who was to have been second in command of the land forces, and of John Talbot, who had lived with him during the whole of his imprisonment in the Tower, and who was, as it stands recorded in the diary, "an excellent general scholar, and a faithful, true man as ever lived." Three days afterwards another of his captains died. Next it was his cousin Peyton. And so the list is lengthened, including only those names which were held by the writer in special remembrance, and passing by the forgotten misery of the nameless mariners who were never again to see their English homes, and whose bones are resting beneath the broad Atlantic.

Raleigh's illness.

At last Raleigh himself was struck down by fever. For ten days he was lying in his cot, tossing restlessly in his pain, and eating nothing except now and then a stewed prune. When at last the joyful cry of "land" was heard, the Admiral was unable to come upon deck to gaze upon the coast on which all his hopes were fixed. It would have been well for him if he had found a sailor's grave within sight of the shores which he longed so earnestly to reach.

Raleigh in the Oyapok;

Raleigh had struck the coast near the mouth of the Oyapok. As soon as the anchor touched the ground, he sent a boat to inquire for his old Indian servant, Leonard, who had lived with him in England for three or four years. After his return home he had not forgotten his master. Raleigh notes that he had cared for "Mr. Harcourt's brother and fifty of his men when they came upon that coast, and were in extreme distress, having neither meat to carry them home, nor means to live there but by the help of this Indian, whom they made believe that they were my men."* Such was the spell which Raleigh's name still exercised in Guiana. But Leonard was not to be found, and the squadron stood away for the mouth of the Cayenne in search of a better anchorage.

and in the Cayenne.

From the Cayenne, Raleigh wrote to his wife by one of his captains who was returning. He was beginning

* Raleigh's Diary.

to see that he had undertaken the voyage on conditions which made success almost impossible. Forty-two of his men, he said, had died upon the voyage, and the rest were mutinous and discontented. The future was very dark. No doubt Gondomar had warned his master, and it was not unlikely that the Orinoco was already fortified. Yet, come what might, he would not flinch. "We can make the adventure," he wrote, "and if we perish it shall be no honour for England, nor gain for his Majesty, to lose, among many others, one hundred as valiant gentlemen as England hath in it. Remember my services," he added, "to Lord Carew and Mr. Secretary Winwood. I write not to them, for I can write of nought but miseries." Yet there was one bright gleam of sunshine amidst the clouds. Here, too, the Indians had not forgotten the one white man who had treated them like brothers. "To tell you," he said, "that I might be king of the Indians were but vanity. But my name hath still lived among them here. They feed me with fresh meat, and all that the country yields."*

He prepares for his ascent of the Orinoco.

Raleigh had other work on hand: but as he looked on his men, he must have felt that their temper was not such as to warrant high hopes of success. On the passage out he had done his best to encourage them, not always

* Raleigh to Lady Raleigh, Nov. 14, 1617. Edwards, ii. 347. A favourable account of Raleigh's prospects went home by Captain Alley, who returned in a Dutch vessel. It was published as "News from Guiana." Bad rumours too accompanied it, as appears from the following extract:—"Ha llegado aquí ahora á Porsemua un navio que viene de donde está Gualtero Rallé, y dize que en el viaje se le ha muerto mucha gente de la mejor que llevaba, y el maestro de su Capitana; y que assí havia errado el puerto del rio de Arenoco, donde iva á buscar la mina, y se avia entrado en un puerto donde eran tales las corrientes hazia dentro, que podria mal salir dél, que iva ya teniendo gran falta de bastimientos, que la mas de la gente estaba desesperada, y que haviendole dado á este navio algunas cartas para traer aquí, el Rallé las avia despues tomado, y . . . . abrió una de un Cavallero que avisaba aquí á otro amigo suyo la miseria en que stavan, y dezia que, si no se mejoraban las cosas, estaban todos resueltos de hechar al Gualtero Rallé en la mar, y volverse; que el Gualtero Rallé avia querido prender á este Cavallero, mostrandole su carta, y los demas no le avian consentido, y conformanse todos que vienen en este navio en que esperan muy mal suceso de este viaje de Gualtero Rallé, y de los que están con él, y les pareze que si continuan la empresa se perderán ó se harán piratas los que pudieran salir de allí, y este es lo que yo tengo por mas cierto." Gondomar to Philip III., $\frac{\text{April 25}}{\text{May 5}}$, 1618. *Simancas MSS.* Est. 2597.

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wisely. If the mine failed, he told them they had the Mexico fleet to fall back upon.* Such exhortations had proved but a poor substitute for the stern, self-denying sense of duty by which the vilest natures are sometimes overawed.

But for the present, at least, he had nobler work to do. As soon as he was able to move, he put off for the Triangle Isles,† to complete his preparations. Of the ten vessels which remained to him after the accidents of the voyage, five only were of sufficiently light draught to pass the shoals at the mouth of the Orinoco. In these he placed one hundred and fifty sailors, and two hundred and fifty fighting men. If he had been able to take the command in person, all might yet have gone well. But the fever had left him very weak, and he was still unable to walk. But even if he had been in perfect health, there was another obstacle in the way. His followers had been ready enough to grumble at him; but when the time of trial came, they knew well enough what his value was. The officers who had been told off for the service flocked round him, and with one voice declared that, unless he remained behind, they would refuse to go. A Spanish fleet might be upon them at any moment, and Raleigh was the only man who could be trusted not to take to flight at the approach of danger. They could place confidence on his word, and on his alone, that he would not expose them to certain de-

* It is expressly stated in the King's Declaration that he spoke of taking the Mexico fleet before as well as after the failure at the mine. In this case, the Declaration is supported by Sir J. Cæsar's notes of Raleigh's examination (*Lansd. MSS.* 142, fol. 396. *Camden Miscellany*, 1863.) "And being confronted with Captains St. Leger and Pennington, confesseth, that he proposed the taking of the Mexico fleet if the mine failed." If a proposal subsequent to the disaster at San Thome had been meant, it would have been "after the mine failed." It cannot be said, that these two witnesses are weak ones. In his letter to Winwood (Cayley ii. 106), Raleigh writes: "The second ship was commanded by my Vice-Admiral Captain John Pennington, of whom, to do him right, I dare say, he is one of the sufficientest gentlemen for the sea that England hath. The third by Sir Warham St. Leger, an exceeding valiant and worthy gentleman." Nor is it fair to say, as is sometimes done, that Cæsar's notes are only rough ones. He was an experienced note-taker, always ready whenever any case of interest occurred; and the chance of mistake is diminished to a minimum by his concordance on this point with Bacon.

† Now known as the Isles de Salut.

struction by leaving the entrance to the river open. Raleigh gave them the promise they required. If the enemy arrived, he said, he would fight to the last; but he would never desert his post.*

He is left at the mouth of the river.

On this condition they agreed to go; but who was to take Raleigh's place in command of the expedition? Pigott had died on the passage, and St. Leger was lying sick on board his ship. Keymis was therefore entrusted with the general supervision of the force. He knew the country well, and he was the only man there who had set eyes upon the spot where the mine was supposed to be. He was brave and faithful; but there his qualifications ended. Intelligence, forethought, and rapidity of decision, were wanting to him.

The land forces were placed under the command of George Raleigh, a nephew of the Admiral. He was a young man of spirit, and that was all that could be said in his favour. Under him, served, at the head of a company, Raleigh's eldest son Walter, whose life was more precious to him than all the gold in America.

His instructions to Keymis.

Whatever else may have been in Raleigh's mind, there was no thought of paying the slightest attention to his promise to the King. In considering what was to be done, there had been some talk about an attack upon the Spanish town as a preliminary to the search for the mine;† for the woods, as Raleigh knew, were thick, and he hesitated to entangle his men amongst them, lest they should be cut off by the Spaniards before they could regain their boats. "It would be well," said Raleigh, "to take the town at once." "But," replied one of those who were standing by, "that will break the peace." "I have order, by word of mouth from the King and Council," answered Raleigh, with unblushing effrontery, "to take the town if it is any hindrance to the digging of the mine."‡

At last, however, he decided against this plan, and gave directions that when the expedition drew near the

* Raleigh's Diary. *Discovery of Guiana*, 202. Raleigh to Winwood, March 21, 1618. Raleigh's Apology. Cayley, *Life of Raleigh*, ii. 106, 124.

† The statement to this effect in the Declaration is borne out by Raleigh's own words in the Address to Lord Carew. Cayley, *Life of Raleigh*, ii. 138.

‡ This stands on the authority of the Declaration, upon which I am quite ready to accept it.

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mine, Keymis should take with him six or seven men in a boat to explore the ground, leaving the rest of his companions behind. But soon after the flotilla started, Raleigh again changed his mind, and sent a letter after Keymis. Some Indian might be lurking on the bank, and seeing a boat-load of Englishmen land, might carry the news to the Spaniards. Before they could return from the mine, the enemy would have time to cut them off from the river. It would therefore be more prudent to take the whole number to the landing-place. From that point the mine was only three miles distant. It would be easy to post the soldiers in advance so as to guard the road. If the mine proved not so rich as was expected, Keymis was to bring away a basket or two of ore, as a proof of its actual existence. But if, as was hoped, gold were discovered in abundance, the troops were to remain at their post to guard the working party from aggression. If they were attacked by the Spaniards, "then," he wrote, "let the Sergeant-Major repel them, if it be in his power, and drive them as far as he can."

One contingency remained to be provided for. A rumour had reached him in the Cayenne, that a large Spanish force had already made its way up the river. If this were the case, he continued, and if, "without manifest peril of my son, yourself, and other captains, you cannot pass toward the mine, then be well advised how you land. For I know," and we can fancy how the fire flashed from his eyes as he wrote the words, "I know, a few gentlemen excepted, what a scum of men you have, and I would not for all the world receive a blow from the Spaniard to the dishonour of our nation. I, myself, for my weakness, cannot be present, neither will the company land, except I stay with the ships, the galleons of Spain being daily expected. Pigott, the sergeant-major, is dead; Sir Warham, my lieutenant, without hope of life; and my nephew, your sergeant-major now, but a young man. It is, therefore, on your judgment that I rely, whom I trust God will direct for the best. Let me hear from you as soon as you can. You shall find me at Punto Gallo, dead or alive; and if you find not my ships there, yet you shall find their ashes. For I will fire with the galleons, if it

come to extremity; but run away I will never." * Braver words it was impossible to utter. Wiser instructions than these last it was impossible to frame, unless he had been prepared to think his promise to the King was worth keeping at the risk of the overthrow of the enterprise. One thing alone was wanting. He could not put his own head upon Keymis's shoulders. The crisis of his fortunes had come, and he had to stand aside, whilst the stake upon which his life and his honour was set was being played for by rough sailors and beardless boys. 1617.

1618. The expedition on the Orinoco.

For three weeks Keymis and his followers struggled against the current of the Orinoco. Two out of his five vessels ran aground upon a shoal. But on the morning of the 2nd of January, the remaining three had passed the head of the delta. The wind was favourable, and the weary crews might hope that either that evening or the following morning, they would reach the place from whence a walk of a few miles would bring them to the golden mine, for the sake of which they had risked their lives.

The new San Thome seen.

It was mid-day when a sight met their eyes by which they must have been entirely disconcerted; for there, upon the river bank in front of them, a cluster of huts appeared. A new San Thome, as they afterwards learned, had risen to break the stillness of the forest. All hope of reaching the mine unobserved was at an end.

It was at such a moment that the want of Raleigh's presence was sure to be felt most deeply. It was still possible to carry out his instructions in the spirit if not in the letter. The object of the expedition was the mine, not the town. Common sense should have warned Keymis to pass the town on the further side of the river, and to take up a defensive position near the mine.

Attacked and burnt.

Instead of this, he came to an anchor about a league below the town, and immediately proceeded to land his men. If he intended to attack the place, and he can hardly have taken these measures with any other purpose, he was singularly slack in his movements. At nightfall the three vessels weighed anchor, and steered towards San Thome, whilst, at the same time, the land troops

* Raleigh to Keymis. Cayley, *Life of Raleigh*, ii. 125.

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put themselves in motion in the same direction. Meanwhile the Spanish Governor had taken his measures with skill. He had but forty-two men to dispose of, but he had in his favour their thorough knowledge of the locality, and the thickness of the woods through which the English had to force their way. It was about nine o'clock when the first shot was fired upon the vessels. Not long afterwards ten Spaniards sprang out from amongst the trees upon the advancing column.*

* I have, not without some hesitation, taken my narrative thus far from Fray Simon. (*Noticias Historiales*, 636.) It is a story in minute detail, and is evidently founded upon the report of an eye-witness. Its most striking difference from Raleigh's account consists in this, that whilst the Spaniard represents the English as landing below the town, and deliberately marching to attack it, Raleigh describes them as landing between the mine and the town, and therefore above the town, merely for the purpose of taking a night's rest, and as being ignorant that the town was so near them as it was. In the first place, it must be remembered that Raleigh had every motive to falsify the narrative, so as to make it appear that his men were not the aggressors. In the second place, his story is improbable in itself. It is most unlikely that Keymis would not have discovered where the town was. We are, however, not left to probabilities, as there exists an independent account of the affair. In a letter written not long afterwards (*Discovery of Guiana*, ed. Schomburgk), Captain Parker says, "At last we landed within a league of San Thomè, and about one of the clock at night we made the assault, where we lost Captain Raleigh and Captain Cosmor, but Captain Raleigh lost himself with his unadvised daringness, as you shall hear, for I will acquaint you how we were ordered. Captain Cosmor led the forlorn hope with some fifty men; after him I brought up the first division of shot; next brought up Captain Raleigh, a division of pikes, who no sooner heard us charged, but indiscreetly came from his command to us," &c. The whole tenor of this pre-supposes that the English were formed for the attack when they were charged by the Spaniards. Of any surprise whilst resting on the river bank the writer knows nothing. Nor is there any reference to any such surprise in Keymis's letter of the 8th January. Keymis says of young Raleigh, "that had not his extraordinary valour and forwardness . . . . led them all on, when some began to pause and recoil shamefully, this action had neither been attempted as it was, nor performed as it is, with this surviving honour." This is hardly the language of a man to whom "this action" was a mere accident. In his letter to Carew, Raleigh himself says, "Upon the return I examined the sergeant-major and Kemys why they followed not my last directions for the trial of the mine before the taking of the town; and they answered me, that although they durst hardly go to the mine, having a garrison of Spaniards between them and their boats, yet they said they followed those latter directions and did land between the town and the mine, and that the Spaniards without any manner of parley, set upon them unawares and charged them, calling them *perros Ingleses*, and by skirmishing with them drew them on to the very entrance of the town, before they knew where they were." (Edwards, ii. 379.) Now, though Raleigh here states that the Spaniards attacked first, there is nothing really contradictory with Fray Simon's story. The charge against the Spaniards of having rushed upon the English when quietly resting on the bank was, no doubt, an afterthought. The English were preparing to attack, but the Spaniards actually struck the first blow.

The English were taken by surprise, and, by their own confession, were almost driven into the river. Order, however, was soon restored. Numbers began to tell, and the Spaniards, repulsed at every point, were forced back towards the town. Young Walter Raleigh dashed into the thick of the fight, shouting in words which were one day to be remembered against his father, "Come on, my men; this is the only mine you will ever find." The next minute he was struck down, and his followers were crying wildly over his corpse for vengeance. As the English pushed their way into the street, a galling fire was opened upon them from the houses on either side. At last, in sheer self-defence, they were driven to set fire to the buildings in which the enemy was sheltered. The wooden huts were soon in a blaze, and by one o'clock, the defenders of San Thome were driven from their homes to find what refuge they could in the surrounding woods.

Difficulties of the captors.

When the morning dawned the English discovered that they had not improved their position by their victory. In a thickly wooded country, the advantage is always on the side of the defence, and it was that advantage which, by their attack upon San Thome, they had recklessly thrown away. Instead of being able, according to Raleigh's instructions, to await in a well chosen position the assault of the enemy, they were now compelled, if the mine was to be reached at all, to make their way through dense woods, in which every tree would afford a shelter to a Spanish marksman. Keymis did his best to execute his orders. At one time he tried to force a passage through the forest. At another time he placed his men in boats and rowed up the stream to seek for a safer path. Everywhere he met with the same reception. Volleys of musketry, fired by men whom it was impossible to reach, told him, in unmistakable tones, that the great enterprise had failed.

The retreat from San Thome.

For some days Keymis still lingered at San Thome. It was hard to be the bearer of such tidings as those which he must carry to the bereaved father whose son was lying in his bloody grave. But the inevitable retreat could not much longer be delayed. His men were

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raving like madmen, and cursing him for having led them into such a snare. The mine, they told him, was a pure invention of his own. As he listened to their angry reproaches, he began, unconsciously perhaps, to look about for excuses by which he might shield himself from blame. A new light suddenly broke upon him. After all, what would be the use of reaching the mine? If the gold were found, it would only fall into the hands of the Spaniards. Even if he could preserve it from them, and could bring it safe to England, would it not be immediately confiscated by the King? He was told that the King had granted it to Raleigh under the great seal. His answer was that Raleigh was an attainted man, and that no grant to him was of any force.

Keymis's determination was probably hastened by some papers which he found at San Thome, from which he learned that Spanish troops were on their way to the Orinoco. The survivors of the band which, less than three weeks before, had come up the river full of hope, hurried on board the vessels with failure written on their foreheads. From that moment nothing could stop them in their eager haste to regain the sea. It was in vain that Keymis, whose heart was sinking at the prospect of meeting the master whom he had ruined, pointed out a spot from whence, as he told them, the mine might yet be reached. It was equally in vain that a friendly Indian chief sent to invite them to another mine far from any Spanish settlement. They pushed on, heedless of such enticements, till they caught sight of the Admiral's topmasts in the gulf of Paria.

Raleigh hears the news.

The news of the disaster did not come upon Raleigh at a single blow. First a stray Indian had brought a rumour of the capture of San Thome.* Then had followed

* In the Declaration it is said that when Raleigh first heard the news, he proposed to sail away to the Caribbees, leaving his forces in the river to shift for themselves, and the inference drawn from it is, that he intended to attack the Spaniards. Just before his death, however, he declared, (Second Testamentary Note; Edwards, ii. 495,) "I never had it in my thoughts to go to Trinidado and leave my companies to come after to the Salvage Islands, as hath by Fern been falsely reported." Looking however, to the extremely sharp practice of his denial of plots with the French in that very paper, I cannot attribute more weight to this than that it may very likely be literally true, and that perhaps he did have it in his mind to go to some other island, not Trinidad. But I have not inserted the charge in the text,

a letter from Keymis with the bitter tidings of his son's death. At last, the whole truth was before him. The great adventure was a total failure, and he must go back, if he went back at all, a discredited and ruined man.

Suicide of Keymis.

Before Raleigh could decide what to do, a new tragedy came to shatter afresh his already shaken nerves. When Keymis came on board to make his report, he had received him kindly, as an old comrade should. But it was not in the nature of things that he should be satisfied with the story which he had to tell. If Keymis had been content to plead the simple truth, to acknowledge his error in attacking the town, and to lay stress upon the impracticability of forcing a passage through the woods, it is possible that Raleigh would have allowed himself to be convinced. But when he said that after young Raleigh's death, there was no reason why he should take the trouble to look any further for the mine in order to enrich such a crew of rascals as he had around him; and that Raleigh being without a pardon, he would be none the better for the discovery of the gold, he was clearly talking nonsense. The man who had everything to lose by the failure saw at a glance that a basketful of ore, by which his sincerity might be proved, would have been worth everything to him. Knowing this as he did, he turned savagely upon Keymis: "It is for you," he said, "to satisfy the King, since you have chosen to take your own way: I cannot do it."

Keymis listened to the bitter words, and turned away sadly. A day or two afterwards he came back with a letter to Lord Arundel in his hand, which he entreated Raleigh to read. Raleigh refused to look at it. "You have undone me," he said, "by your obstinacy, and I will not favour or colour in any sort your former folly." Keymis asked if this was his final resolution. Raleigh answered that it was, and his downcast follower left the

as, even if it be accepted as generally correct, its value depends very much upon the circumstances under which it was spoken, and the plans which Raleigh may have formed at the same time for the relief of his crews in the river. Besides, it would be hard to lay too much stress on words perhaps flung out in a moment of agony.

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cabin, saying as he went, "I know not, then, what course to take."

The old sailor knew that he had lost his master's respect. How he had lost it was not so clear to him. Not long after he had gone, the report of a pistol was heard. Raleigh, asking what it meant, was told that Keymis had fired the shot to clean his arms. Half an hour afterwards, a boy going into his cabin found him lying dead, with a long knife driven into his heart. The pistol had inflicted but a slight wound; but the sturdy mariner, who had faced death in a thousand forms, could not bear to look again upon his commander's angry face.

Raleigh's schemes.

Raleigh himself was wellnigh distracted. With nothing but blank despair before him, his first thought was to make a fresh attempt upon the mine. If Keymis had failed to reach it, he had at least discovered fresh evidence of its reality. Two ingots of gold had been brought from San Thome, and papers had been found in which there was mention of mines existing in the neighbourhood. If Raleigh could do nothing else, he could lay his bones by the side of his son.*

From this desperate proposal his followers shrank. Their necks were in no danger at home, and they had no wish to expose themselves to almost certain destruction for the sake of a mine of the very existence of which they were by this time thoroughly incredulous. The Spanish war-ships would be upon them before long; and the sooner they left the mouth of the Orinoco the better. One more plan was submitted to them by Raleigh before he gave orders for weighing anchor. He had long before told them that if disaster should come it might be retrieved by an attack upon the Mexico fleet. The evil which he had foreboded was now before his eyes; and he asked his captains whether they would be ready to join him in the attempt. In his eyes such an undertaking was perfectly legitimate.† There was no peace beyond

* Raleigh to Winwood, March 21. Raleigh to Lady Raleigh, March 22, 1618. Raleigh's Apology. Cayley, *Life of Raleigh*, ii. 106, 112, 129.

† The language in which Raleigh speaks of the French prize taken off Cape St. Vincent, is the best evidence of his real feeling on this point. His officers urged him to seize it because it was thought that the crew, "had robbed the Portugals and Spaniards." "But," he says, "because it is law-

the line; and why should not the Spaniards pay for the injury which they had inflicted upon his men, who had been shot down like dogs in what he was pleased to call the English territory of Guiana? If Faige had been false to him, and if the four French ships upon which he had counted had failed him, might not something be done even with the forces which still remained? His captains do not seem to have rejected the idea positively at first. One who was present at the consultation asked, "What shall we be the better? For, when we come home, the King will have what we have gotten, and we shall be hanged." "We shall not need to fear that," was Raleigh's answer, "for I have a French commission, by which it is lawful to take any beyond the Canaries." "And I have another," said Sir John Fern, "and by that we may go and lie under Brest or Belleisle, and with one part thereof satisfy France, and with another procure our peace with England." *

ful for the French to make prize of the Spanish King's subjects to the South of the Canaries, and to the West of the Azores, and that it did not belong to me to examine the subjects of the French King, I did not suffer my company to take from them any pennyworth of their goods."

* This conversation is taken from the report made by Sir T. Wilson (Sept. 21, 1618. *S. P. Dom.* xcix. 58). It may be said that Wilson was a spy, and therefore, is not to be believed. But those who will take the trouble to go through Wilson's reports, will, I think, be struck by the internal evidence of their credibility. The mere scraps of information that he is able to give are very meagre. Nor can he have had any object in inventing stories against Raleigh. It cannot be seriously maintained that he wished to deceive the King, who would soon find out the truth or falsehood of these reports. And even those who think that James himself deliberately brought false charges against Raleigh can hardly explain why he should have had them previously inserted in a series of private notes of which no public use was to be made. But, it may be asked, how came Raleigh to tell a story so damaging to himself? No doubt, because it had already been brought in evidence against him. He repeated it in order to explain it away. "But," the note goes on to say, "I had no such commission, but spake it only to keep the fleet together,—which else he found apt to part and sail on pirating."

The question next arises, how far this explanation is to be believed. With respect to the commission, his statement is literally true, and that is all that can be said for it. Montmorency's letter cannot strictly be called a commission. Yet, in a letter written by Raleigh four days later to the King, of which unfortunately only a Spanish translation has been preserved, he uses these very words: "Viendo que V. Mag^{d}. deseava mucho saver la verdad, y me mandava muy estrechamente que le escriviesse todo lo que era, agora por no tener yo á V. Mag^{d}. mas suspenso y dudoso de la verdad, viendome en conciencia muy obligado a dar contento á mi Rey y Principe natural, y no á otro alguno, esperando que, como yo he siempre desseado darle en esto satisfacion assí él tendrá compasion de mi dura

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Raleigh at St. Christopher's.

Upon this scene the curtain drops. We only know that the proposal came to nothing. When Raleigh is next heard of he is at St. Christopher's. Officers and crews were alike becoming unmanageable. Whitney, "for whom," he writes to his wife, "I sold all my plate at Plymouth, and to whom I gave more credit and countenance than to all the captains of my fleet, ran from me at Granada, and Wollaston with him.* So as I have now but five ships, and one of those I have sent home, and in my fly-boat a rabble of idle rascals, which I know will not spare to wound me; but I care not. I am sure there is never a base slave in all the fleet hath taken the pains and care that I have done—that hath slept so little, and travailed so much." These men, he had written the day before to Winwood, "will wrong me all they can. I beseech your honour that the scum of men may not be believed of me, who have taken more pains, and suffered more than the meanest rascal in the ship. These being gone, I shall be able to keep the sea until the end of August, with some four reasonable good ships." What did he intend to do? We cannot tell. Probably he

y cruda condicion, y de mi vejez; yo diré la verdad á V. Mag[d]. *Yo tuve una comision* de el Duque de Momorancy, Almirante de Francia para yr á la mar, la qual me dió un Frances llamado Faggio, que me dixo que el Embaxador de Francia M. de Maretz me favoresseria con sus çartas para el Duque de Momorancy para el dicho effecto." Raleigh to the King, Sept. 25, 1618. *Simancas MSS.* Est. 2597.

As to Raleigh's explanation of his proposal for attacking the fleet, no reliance can be placed on his mere word. The only external evidence I can find is in a petition by Pennington, written after his return. He says that he came back in great want, "without offending any of his Majesty's laws, though much incited thereunto." There remains the test of probability; and, when it is remembered that Raleigh had been, to say the least of it, playing with the idea of attacking the fleet for several months, it seems hardly likely that he did not mean anything serious. Besides, if he could honestly have denied his intention of attacking the fleet, why did he not do so on the scaffold? He there certainly said everything which could be urged in his defence.

* Wollaston and Collins "coming lately to the fishing-place," in Newfoundland, "met there with a French man-of-war, who laying them aboard with intention to have taken them was taken by them, and brought into a harbour, where they put the Frenchmen ashore, and remained with the ship; and that they there understanding of a Flemish ship-of-war riding in a harbour not far off, which had offered some hard measure to the English, went and came to an anchor by her, and after some parley they fell to fighting, and in a short space the Fleming was taken. One Captain Whitney, who was also of Sir W. Raleigh's company, came now with this fleet to Malaga, loaden with fish from the New-found-land, and is gone with the rest to seek his market." Cottington to Lake, Oct. 29. *S. P. Spain.*

could not tell himself. "My brains are broken," he writes to his wife, "and it is a torment to me to write, especially of misery."*

His return.

Raleigh is next heard of at Newfoundland. But if he still cherished hopes of retrieving his ill-success, he was not long in discovering that he must abandon them for ever. His crews refused to follow him, and he was forced to make sail for England. On the voyage home, the poor frightened men mutinied, and compelled him to swear that before he carried his ship into port he would obtain their pardon from the King. Raleigh himself hardly knew what to do. At one time he offered to make his ship over to his men, if they would put him on board a French vessel. In truth, it was but a choice of evils that was before him. As a penniless outcast, he had as little chance of a good reception in Paris as in London. At last, having first put into Kinsale harbour, he persuaded his men to suffer him to steer for Plymouth.†

Gondomar demands justice.

As Raleigh knew, it was no friendly tribunal that he would have to face. During the months which had passed so wearily with him, Gondomar had been watching for the news which, as he little doubted, would confirm his worst suspicions. He had listened eagerly to the tale of the deserter, Bailey, and had urged his Government to lay an embargo upon the property of the English merchants at Seville, till redress was afforded for the alleged hostilities at the Canaries.‡ Then, to his great delight, came news from the Cayenne, telling of discontent amongst the crews, and of the probabilities of failure.§

* Raleigh to Winwood, March 21. Raleigh to Lady Raleigh, March 22. 1618. Cayley, *Life of Raleigh*, ii. 106, 112.

† The statement made by Raleigh on the scaffold, has been usually supposed to contradict that in the King's Declaration. To my mind, they mutually confirm one another. Raleigh does not contradict the story which was afterwards embodied in the Declaration, but only tells another story. Both were, no doubt, true. The same fear of punishment which made the crews anxious to sail for England, rather than engage in an unknown enterprise, would make them shrink from landing in England, without assurance of pardon.

‡ Minutes of Gondomar's despatches, Oct. $\frac{12}{22}$, and Nov. $\frac{5}{15}$, 1617. *Simancas MSS.* Est. 2514.

§ Gondomar to Philip III., $\frac{\text{April } 25}{\text{May } 5}$, 1618. *Simancas MSS.* Est. 2597.

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Early in May,* two vessels arrived with the letters which had been written by Raleigh from St. Christopher's. On the 23rd,† Captain North told the King at full length the miserable story, and three or four weeks later the Destiny itself cast anchor in Plymouth sound.‡

Gondomar lost no time in hurrying to the King to demand satisfaction for the outrages committed at San Thome. One of two things, he said, must be done. Either Raleigh must be punished in England, or he must be placed in his hands to be sent as a prisoner to Spain.§

June. James, to all appearance, was ready to comply with his demands. On the 11th of June, he issued a proclamation, inviting all persons who had any evidence to give against Raleigh to present themselves before the Council.‖ The Lord High Admiral gave instructions that the Destiny should be seized in the King's name as soon as it made its appearance in English waters.¶ Buckingham was instructed to tell Gondomar that justice should be done.** A week or two after Raleigh's arrival, James informed the Ambassador that, if the charge was proved against him, he should be delivered up to the King of

* Contarini to the Doge, May $\frac{14}{24}$, 1618. *Venice MSS.* Desp. Ingh.

† Camden's *Annals.*

‡ Contarini to the Doge, June $\frac{11}{21}$. *Venice MSS.* Desp. Ingh. Salvetti's *News-Letter*, June $\frac{11}{21}$, $\frac{\text{June } 25}{\text{July } 5}$, 1618.

§ Contarini to the Doge, $\frac{\text{June } 25}{\text{July } 5}$, July $\frac{2}{12}$. *Venice MSS.* Desp. Ingh. Caron to the States General, July $\frac{15}{25}$. *Add. MSS.* 17,677, I; fol. 312. Salvetti's *News-Letter*, $\frac{\text{June } 25}{\text{July } 25}$, 1618. Not one of these writers says anything of Howel's story of "Piratas, Piratas, Piratas." In most of the editions of his letters, the letter in which this anecdote is given is dated about two months before Raleigh's return. Even if we go back to the first edition, which gives no dates, it is, to say the least of it, strange that two letters should be written just as Howel was starting for the Continent, and that of these, one should give the story of Raleigh's return, which took place in 1618, and the other should give the story of the execution of the accomplices in Overbury's murder, which took place in 1615. The story is in contradiction with all that I know of Gondomar's character. Howel, probably, found it floating about, and placed it in his letters when he was dressing them up in order to sell them.

‖ Proclamation, June 11, 1618. Rymer, xvii. 92.

¶ Stukely's Apology. *Raleigh's Works*, viii. 783.

** Buckingham to Gondomar, June 26, 1818. *S. P. Spain.*

Spain, to be treated as he deserved.* It was without much hope of success that Raleigh's friends at Court endeavoured to stem the tide. Carew was especially urgent in his behalf. "I may as well hang him," was the King's reply, "as deliver him to the King of Spain; and one of these two I must do, if the case be as Gondomar has represented it." Carew pressed for a more favourable answer. "Why," said James, "the most thou canst expect is that I should give him a hearing."†

July. Gondomar's departure.

Raleigh was in no hurry to present himself in London, for he was well informed of all that was passing at Court; and he knew that the man from whose influence he had most to dread was to leave England in a few days. As far as James could carry his wishes into effect, Gondomar's departure from London on the 16th of July was a kind of triumphal procession. It had often been the practice to gratify the ambassadors of Roman Catholic states, by allowing them to carry with them a few priests, who were liberated from prison on condition that they would engage not to return to England. In honour of Gondomar, every priest in prison was set at liberty at once; and as he rode down to Dover, he was followed by at least a hundred, of whom the greater number had probably already made up their minds to make their way back to England as soon as possible.

The attack upon the Spanish Embassy.

But if Gondomar was in high favour with the King, he was not in high favour with the English people. A day or two before he left London, one of his suite, riding carelessly down Chancery Lane, rode over a little boy. The child was more frightened than hurt; but to the angry crowd which gathered in an instant, it was enough that the mischance was attributable to a Spaniard. In a few minutes four or five thousand infuriated Englishmen were rushing along the streets with a fixed determination to tear the unlucky foreigner from his refuge at the Spanish Embassy in the Barbican. Gondomar himself was away, supping with the Earl of Worcester; but his frightened attendants were trembling at the execrations

* Salvetti's *News-Letter*, June $\frac{9}{19}$, 1618.

† Lorkin to Puckering. *Harl. MSS.* 7002, fol. 410.

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of the mob without, and were waiting amidst crashing windows and splintering doors, for the moment when they might be hurried off to instant death.

Fortunately, when the confusion was at the highest, Chief Justice Montague, accompanied by the Lord Mayor and Aldermen, appeared upon the scene. Then was displayed the English respect for authority and law: in a moment, the howling crowd was silent, and the work of destruction was arrested. Upon an assurance from Montague that the offender should be put to a legal trial for what he had done, they opened their ranks that the culprit might be led away unharmed to prison, and then quietly dispersed to their homes. As soon as the disturbance was at an end, the Chief Justice, regardless of his promise, ordered that the Spaniard should be peacefully restored to the Embassy.

The King's excuses.

The next morning James sent Buckingham to Gondomar to express his regret at the untoward occurrence. In the lofty tone which had always served him so well, the ambassador replied that he was personally ready to forgive the offence, but that he could not tell how his master would receive the news.

Punishment of the offenders.

James had already made the riot an affair of state. The Lord Mayor was ordered to ask Gondomar's pardon, and was told that if he did not punish the offenders himself, the King would come in person into the city to see that justice was done. Gondomar now declared himself satisfied, and, before he left England, sent a message to the King, begging him not to deal harshly with the rioters.* Three weeks afterwards, James, finding that the magistrates were inclined to sympathize with the offenders, issued a special commission for the trial of the culprits,† and seven unlucky lads were sentenced to an imprisonment of six months and a fine of 500*l.* a-piece.‡ Within a month after the passing of the sentence, however, it was remitted at the instance of Gondomar's secretary, Sanchez, who had

* Lorkin to Puckering, July 14. *Harl. MSS.* 7002, fol. 414. Contarini to the Doge, $\frac{\text{July 23}}{\text{Aug. 2}}$. *Venice MSS.* Desp. Ingh. Salvetti's *News-Letter*, $\frac{\text{July 26}}{\text{Aug. 5}}$, 1618.

† Bacon to Cæsar, Aug. 6, 1618. *Add. MSS.* 12,507, fol. 79.

‡ Chamberlain to Carleton, Aug. 13, 1618. *S. P. Dom.* xcviii. 17.

remained in England as agent for his Government, till a new ambassador should be appointed.*

Raleigh's arrest.

Unfortunately for Raleigh, the knowledge that the London mob, which had nearly torn him to pieces fifteen years before, would be sure to treat him with greater respect now, was not likely to be of much service to him. At last, knowing that further delay would be useless, he determined to set out for London; but he had not proceeded further than Ashburton, when he met Sir Lewis Stukely, a cousin of his own, who was Vice-Admiral of Devon, and who was charged with orders to arrest him. Stukely took him back to Plymouth, and having nothing but verbal directions from the King, waited for a formal commission to bring him up to London as a prisoner. During the interval, Raleigh, either being ill in reality, or hoping to gain time by counterfeiting sickness, took to his bed. Under these circumstances, Stukely left him very much to himself, and omitted to take the usual precautions for the safe custody of the prisoner.†

July. He attempts to escape.

With the opportunity, the thought of escape presented itself once more to Raleigh. He had lost all hopes of regaining the favour of James. He commissioned Captain King, the only one of his officers who had remained faithful to the last, to make arrangements for flight with the master of a French vessel which was lying in the Sound. At nightfall the two slipped out of the house together, and got into a boat. They had not rowed far before Raleigh changed his mind, and ordered King to return. He could not tell what to do. Next day he sent money to the Frenchman, and begged him to wait for him another night. Night came, but Raleigh did not stir.

His irresolution was soon brought to an end. Stukely

* Contarini to the Doge, Sept. $\frac{18}{28}$. Proclamation, Sept. 10, 1618. *S. P. Dom.* clxxxvii. 59.

† It is sometimes supposed that Stukely intended to give him a chance of escape, meaning to stop him, in order that he might have an additional charge to bring against him. If so, Stukely must have been a great bungler, as he made no preparations for preventing Raleigh from getting clear off. Nor were the reasons which afterwards induced the King to favour a trick of this kind as yet in existence. Caron's account of the matter, in all probability, gives the true explanation. Raleigh was sick, or pretended to be so. This would quite account for Stukely's neglect of him. See Caron to the States General, $\frac{\text{July } 27}{\text{Aug. } 7}$. *Add. MSS.* 17,677, I; fol. 318. Salvetti's *News-Letter*, July $\frac{2}{12}$, 1618.

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August.

He is carried up to London.

received peremptory orders to take his prisoner to London.* As Raleigh passed through Sherborne he pointed out the lands which had once been his, and told the bystanders how they had been wrongfully taken from him. Perhaps the recollection of his trial at Winchester made him more than ever unwilling to face the King. His fears again took possession of him. At Salisbury he sunk so low as to feign illness, in order to gain a little time upon the road. A French quack, named Mannourie, who was in attendance upon him, gave him ointment to produce sores wherever it was applied. He was too ill, he said, to travel. It happened that the Court was in the town in the course of the progress, and Digby, as soon as he heard of Raleigh's condition, obtained for him permission to retire for a few days to his own house, as soon as he was able to reach London. This was exactly what Raleigh wanted. He fancied that escape would now be easy. His first thought was to bribe Stukely to aid him. Upon Stukely's refusal, he begged King to hurry on to London, and to hire a vessel to wait at Gravesend till he was able to go on board.

His renewed attempts to escape.

* "You have under your charge the person of Sir W. Raleigh, Knt., touching whom and his safe bringing hither before us of his Majesty's Privy Council, you have received many directions, signifying his Majesty's pleasure and commandment. Notwithstanding, we find no execution thereof as had becomed you, but vain excuses, unworthy to be offered to his Majesty, or to those of his Council, from whom you received his pleasure." *Council Register*, July 25, 1618. Mr. Edwards (*Life*, i. 654) complains of Bacon as having deliberately inserted a falsehood into the King's Declaration, by saying, "That this first escape to France was made before Stukely's arrival at Plymouth." I do not find, however, that Bacon said anything like this. The words are, "For about this time Sir W. Raleigh was come from Ireland into England, into the port of Plymouth, where it was easy to discern with what good will he came thither, by his immediate attempt to escape from thence; for soon after his coming to Plymouth, before he was under guard, he dealt with the owner of a French bark," &c. Bacon, therefore, does not say that the escape was made before Stukely's arrival, but before Raleigh was under guard, and though a microscopic objector might say that Raleigh was in some sort under guard from Stukely's first arrival, yet he was practically left to do pretty much as he liked till the arrival of the order from the Privy Council. The exact date of the attempt must have seemed of little moment to Bacon, if, as I believe, he was arguing against some rumour that the attempt to escape *from London* was a mere trick of Stukely's. "Wherein, by the way," he says of this Plymouth escape, "it appears that it was not a train laid for him by Sir L. Stukely, or any other, to move or tempt him to an escape, but that he had a purpose to fly and escape from his first arrival in England;" and this, as far as I can see, is strictly true.

The master of the vessel took King's orders, and immediately gave information of what he knew. The story was told to Sir William St. John, a captain of one of the King's ships. St. John decided upon riding down to Salisbury to tell James. Before he reached Bagshot, he met Stukely coming up with his prisoner, and acquainted him with his discovery. Stukely told him, in return, of Raleigh's dealings with himself and Mannourie, and charged him to lay the whole matter before the King.*

Betrayed to the King.

August. His interview with La Chesnée.

The next day, Stukely had fresh news to write to Court. La Chesnée, the interpreter of the French Embassy, who had had dealings with Raleigh before he sailed, had visited him at Brentford. He had brought a message from Le Clerc, who since Desmarets' departure, had been residing in England as agent for the King of France, offering him a passage on board a French vessel, together with letters of introduction, which would secure him an honourable reception in Paris. Raleigh had thanked him for his kindness, but had told him that he had already provided for his escape.

Failure of his attempt to escape.

All this Stukely, who seems to have thought it no shame to act as a spy upon the man who had called upon him to betray his trust, communicated to the King. James at once took alarm. A plot with France was a serious matter. He accordingly directed Stukely to counterfeit friendship with Raleigh, to aid him in his escape, and only to arrest him at the last moment. By this course, it would seem, he hoped to wheedle Raleigh out of his secret, and perhaps to get possession of papers which would afford evidence of his designs.† Raleigh was, therefore, conducted upon his arrival in London to his own house in Bread Street. Here he received a visit from Le Clerc, who repeated his former offers. The next morning he got into a boat, accompanied by Stukely and

* St. John's Declaration, Aug. 17, 1618. *Harl. MSS.* 6854, fol. 1.

† "But why did you not execute your commission barely to his apprehension on him in his house? Why, my commission was to the contrary, to discover his other pretensions, and to seize his secret papers." Stukely's *Petition*, 7. I incline to think this to be the true account. Those who think Raleigh was helped to escape, in order that an additional excuse might be found to hang him, are of course those who resolutely ignore the fact that there was any real ground for proceeding against him already.

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King. As had been pre-arranged, he was arrested at Woolwich, and was at once lodged in the Tower.*

Raleigh's apology.

From the moment that the Tower gates closed upon him, Raleigh can have had little hope. For he must have known well that, even if James had been disposed to do him justice, his case would not bear the light. He had already done his best to plead his cause before the King. The apology which he drew up during those miserable days in which he had counterfeited illness at Salisbury was indeed, if it be simply considered as a literary effort, a masterly production. In language which still rings like a clarion, Raleigh hurled his last defiance in the face of Spain. He vindicated the rights of the English Crown to Guiana, and asserted that, had he taken possession of the mine on the Orinoco in spite of all the forces of Spain, he would merely have been doing his duty as a faithful servant of the King of England. His old conviction of the righteousness of his life-long struggle with Spain glowed in every line.

As an appeal to posterity, the Apology has had all, and more than all, the success which it deserved. To James it must have appeared tantamount to a confession of guilt. Utterly unable to deny that, after sailing under an express promise not to meddle with the subjects of the King of Spain, he had sent his men up the Orinoco without any instructions which might lead them to suppose that he thought the fulfilment of his promise worth a moment's consideration, Raleigh now turned round upon the King, and represented his own dereliction of duty as a high and noble deed. He had been content to found his enterprise upon a lie, and his sin had found him out. To all who knew what the facts were, he stamped himself by his Apology as a liar convicted by his own admission.

Could James condemn him?

Yet, how could James exact from him the penalty of his fault? To impartial persons, it is clear that the King's own misconduct had its full share in bringing about the catastrophe. It was James, who, in order to

* Oldys' *Life of Raleigh*, in *Raleigh's Works*, i. 519. Stukely's Apology in *Raleigh's Works*, viii. 783. The King's Declaration. Stukely's Petition. *Council Register*, Sept. 27, 1618.

throw the whole responsibility upon Raleigh, had required from him a promise which, as the slightest consideration would have told him, it was hardly possible for him to keep. He had thought to save himself trouble, and now it was come back upon him with tenfold weight. Out of the difficulty which he had brought upon himself, there was no way by which he could escape with credit. If he pardoned Raleigh, he must not only break off his friendship with Spain, but he must announce to the world that he was himself regardless of his plighted word, and that he was as careless of the rights of other sovereigns, as he was tenacious of his own. If he sent Raleigh to the scaffold, he was condemning himself for the part which he had taken, in spite of the warning of Gondomar, in promoting an enterprise of which he now bitterly repented. If justice demanded the execution of Raleigh, it also demanded his own.

A commission appointed to examine Raleigh.

Such considerations, however, were far enough from the mind of James. Commissioners were appointed—Bacon, Abbot, Worcester, Cæsar, Coke, and Naunton, to examine the charges against the prisoner. That they performed their duties conscientiously there is no reason to doubt. The names are by no means such as to indicate a packed tribunal. Yet, in one important point, they certainly came to a wrong conclusion. Instead of contenting themselves with supposing, as was really the case, that Raleigh was careless whether he broke his promise or no, if he could only reach the mine, and that he was equally indifferent to the means by which he might indemnify himself, if the mine should prove a failure, they adopted the theory that he never intended to go to the mine at all, and that he had sailed with the purpose of at once engaging in a piratical attack upon the colonies and fleets of Spain. No doubt they knew as well as we do, that the evidence required careful sifting before it could be admitted as conclusive. For those who gave it were, for the most part, angry and disappointed men; and Raleigh was at all times a free speaker, whose words could seldom be regarded as an infallible key to his settled purposes. But, in an inquiry for truth, they got no assistance from Raleigh. Whatever else might be true,

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it was plain that his story at least was false. And as, one by one, admissions were wrung from him which were utterly fatal to his honesty of purpose; as the Commissioners heard one day of his proposal to seize the Mexico fleet, and another day of his underhand dealings with Montmorency, it is hardly to be wondered that, exasperated by the audacity of his lying, they came to the conclusion that there was not a single word of truth in his assertions, and that his belief in the very existence of the mine was a mere fiction, invented for the purpose of imposing upon his too credulous Sovereign.

Raleigh before the Council.

On the 17th of August, a week after his committal to the Tower, Raleigh was brought before the Council. He had to listen to the charges, true and false, which Yelverton and Coventry had been instructed to bring against him. He was never at a loss, and he threw the main force of his defence upon the weak point in the prosecution. He indignantly repudiated the supposition that the mine had no real existence, and he called attention to the fact that he had ordered Keymis to keep his men between San Thome and the mine, with the sole object of securing the working party from interruption. It might have been replied that as he had obviously only given the order from considerations of expediency, it could not be accepted as a substitute for an unconditional command to avoid meddling with the Spaniards at all hazards, and that his own language had been such as to leave Keymis under the impression that he was at liberty to make the attack if he should find it to be worth his while. The Attorney-General, however, preferred to introduce Sir Warham St. Leger and Captain Pennington; and in their presence Raleigh was driven to confess that he had proposed the seizure of the Mexico fleet. It is true that he qualified his confession by stating that he had only spoken of it as a possibility contingent upon the failure of the mine, and that either on this or on some other occasion he endeavoured to explain away his words as having been uttered without any serious intention. But the fact that such words had been spoken at all was enough to bring home to ordinary minds the conviction, that he had sailed under false pretences, and to prepare

them to disbelieve the most solemn protestations of a man who had been proved to be so regardless of truth.*

Inquiry into the French plot.

Other examinations Raleigh had to undergo. But no report of them has reached us, and it is impossible to say what answers he made to the further charges which were brought against him. On one point we know that the Government was most anxious for information. The plot with France, of which they had come upon the traces, assumed gigantic proportions in their eyes. La Chesnée was summoned before the Council, and was examined on his visit to Raleigh at Brentford. To the astonishment of his questioners, he replied by a blank denial that he had ever spoken a word to Raleigh on the subject of his escape. Enraged at his mendacity, the Council ordered him into custody.† In its anxiety for information, the Government now decided upon setting a spy over Raleigh, who might gain his confidence, and win from him an acknowledgment of the true character of his dealings with the French.

Wilson set as a spy on Raleigh.

The person selected for this miserable office was Sir Thomas Wilson,‡ the keeper of the State Papers, an old spy of Queen Elizabeth's. He felt no repugnance to the occupation. As soon as he was installed in the Tower, he began to ply the prisoner with questions, and to hint to him that by a full confession it might yet be possible to regain the favour of the King. For more than a fortnight Raleigh remained upon his guard. He would admit nothing. When he was pressed to acknowledge that he had spoken words which he was unable to deny, he took refuge in the assertion that it was indeed true that he had used the words, but that he had meant nothing by them. It was thus that he explained away the fact that he had communicated to Stukely La Chesnée's offer of a passage on board a French vessel. It was true, he said, that he had told Stukely so; but he had not spoken the truth. It had been convenient for him at

* Proceedings against Raleigh, Aug. 17, 1618. *Lansd. MSS.* 142, fol. 396. *Camden Miscellany* for 1863. See also the King's Declaration, and compare note at p. 122.

† Declaration of the Council, Sept. 27, 1618. *Council Register.* Chesnée's examinations are at Simancas; but a translation has been printed in St. John's *Life of Raleigh*, i. 303, 313, 323.

‡ The Commissioners to Wilson, Sept. 10, 1618. *S. P. Dom.* xcix. 7.

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the time to persuade Stukely that a French vessel was waiting for him in the Thames, and he had invented the falsehood on the spot.* About a week later, Raleigh told Wilson the story of his proposal to his captains to seize the Mexico fleet, which was already known by other means to the Government. But it was only to accompany it with the explanation, that, although he had laid the scheme before his companions, he had done so only in the hope of keeping his fleet together, without any intention of carrying it into execution.

Sept. Raleigh acknowledges his dealings with the French.

And so the wretched game of falsehood on both sides went on; till at last, on the 25th of September, Raleigh, weary of the struggle, wrote to the King, acknowledging that he had sailed with a commission from the Admiral of France, and that La Chesnée had, by Le Clerc's directions, offered to assist him in his escape.†

Le Clerc was the first to suffer from this disclosure. La Chesnée was again summoned before the Council, and was no longer able to persist in his transparent falsehoods. Le Clerc was then sent for. He boldly denied having had any dealings with Raleigh whatever. He was told that he would no longer be treated as the minister of the King of France; and, not long afterwards, finding that his presence was useless in England, he left the kingdom.‡

October. It would seem that several circumstances relating to Raleigh's intrigues with the French were brought to the knowledge of the Commissioners; for we find him doing his best in his conversations with Wilson to explain away his intercourse with Faige, his having taken into consideration the plan for the surprise of St. Valery, and his listening to the proposal made to him before he left the Tower for seizing the Mexico fleet with six or seven Rochellese ships.§

He charges At last Raleigh turned to bay. If he had formed a

* Wilson's Notes, Sept. 12, 13, 14, 16, 18. *S. P. Dom.* xcix. 9, i.

† Raleigh to the King, Sept. 25, 1618. *Simancas MSS.* Est. 2597. The letter is quoted in a statement in the *Council Register*, Sept. 27, 1618, and a translation will be found in St. John's *Life of Raleigh*, ii. 331.

‡ Statement of the proceedings with Le Clerc, Sept. 27, 1618. *Council Register.* Finetti, *Philoxenis.*

§ Wilson to the King, Oct. 4, 1618. *S. P. Dom.* ciii. 16.

plot for the seizure of the fleet during his last voyage, it was, he said, at the instigation of Winwood and others, who were members of the Privy Council. But Winwood's misdeeds were already known,* and Raleigh's disclosures were received with indifference. He no longer doubted that he must prepare to die. His friends at Court had pleaded his cause in vain. Even the Queen, forgetful, since her quarrel with Somerset, of her old friendship with Spain, had, without success, urged Buckingham to interfere in his favour.†

Winwood with complicity.

If Raleigh's execution was still delayed, it was not because James had any compunction about sending him to the block, but because, in one last futile effort to shift the responsibility of his death from his own shoulders, he had offered the King of Spain to deliver the prisoner to him, to be dealt with as he pleased. Of course, Philip declined to take the thankless task upon himself, and requested James to execute his own criminals.‡

Reference to Spain.

Having thus made up his mind that Raleigh was to die, James applied to the Commissioners to know how it was to be done. Their reply was drawn up by Bacon. It began by stating that it was impossible that Raleigh could be tried for any offence which he had committed as an attainted man. It was, therefore, necessary, if he was to be executed at all, that he should be executed upon his former sentence. It would not be illegal to send him to the scaffold upon a simple warrant to the Lieutenant of the Tower. But if this were done, it would be well that a narrative should be published setting forth the offences for which he was in reality to die. The Commissioners evidently felt that if as a matter of legal formality Raleigh was to be put to death for his alleged intrigue with Spain in 1603, it should at all events be made plain that this was nothing more than a legal formality. But there can be little doubt that, in their hearts, they preferred the alternative which they next suggested, namely, that, as far as the law would permit, Raleigh

The report of the Commissioners.

They propose an informal

* See note at p. 62.

† The Queen to Buckingham. Cayley's *Life of Raleigh*, ii. 164.

‡ Philip III. to Sanchez, $\frac{\text{Sept } 25}{\text{Oct. } 5}$, 1618. *S. P. Dom.* xcix. 74.

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trial before the Council.

should have the advantage of a public trial. He was to be called before the Council, and the Council was on this occasion to be reinforced by the addition of some of the Judges. The doors were to be thrown open to certain noblemen and gentlemen who were to be summoned as witnesses of the proceedings. After the necessity of this unusual form of trial had been explained, the lawyers were to open the case, and the examinations were to be read, just as would have been done in Westminster Hall. Raleigh was to be heard in his own defence; and that there might be no repetition of the unfair treatment which he had received at Winchester, the witnesses against him were to be produced in open court. Although no sentence could be formally recorded, the Councillors and the Judges were to give their opinions whether there was sufficient ground to authorise the King in putting the law in force against the prisoner.*

Their proposal rejected by the King.

Such a trial as this, indeed, would still have been deficient in many of those guarantees for fair dealing which have been extended to the prisoners in modern times. But it would have been justice itself as compared with the other plan which had been suggested by the Commissioners. James's reasons for rejecting the proposal have not been recorded. But, in truth, they lie upon the surface. How could he bear that Raleigh should be permitted to denounce with withering scorn that alliance with Spain which was so dear to his heart. His words would be sure to find a response in the hearts of the spectators; perhaps even in the hearts of his judges. There would be division in the Council. Pembroke, Arundel, and Carew, might be found unwilling to condemn the man whom they had favoured. It is true, that a prudent and far-seeing Sovereign might easily have replied to Raleigh's arguments. He might have told him that it was most dangerous that a subject who had sailed under solemn promises not to assail the territories of any foreign prince, should treat those promises as Raleigh had treated his; and that it was for the Government, and

* The Commissioners to the King, Oct. 18, 1618. *Bacon's Works*, ed. Montagu, xii. 358.

not for any private person, to determine what interpretation should be put upon the prevailing theories of maritime law by the officers of a fleet sailing under a royal commission. He might have told him, and no impartial person would have been able to deny the truth of the assertion, that, looking at the existing state of Europe, it was not advisable either to risk prematurely a war with Spain, or to divert to Guiana any portion of the strength of England which might soon be needed on the Continent. But James had put it out of his power to say anything of the kind. He would be told that he should have thought of all this when he signed Raleigh's commission two years before. How completely he had become the tool of Spain was no doubt hidden from his eyes; but he knew that he quailed before the man who might denounce him as the tool of Spain in the eye of day. And so he did not dare to allow him even the semblance of a public trial. It would be better, he thought, to wait till the tongue of his victim was silent before he laid before the people of England the charges on which he was to die.

Proceedings in the King's Bench.

Accordingly a privy seal was directed to the Justices of the King's Bench, commanding them to award execution upon the old sentence. James seems to have expected that it would be unnecessary for Raleigh to appear in Court. The Judges, however, declared that it was impossible for them to act unless the prisoner were produced, as he must have an opportunity afforded him of giving a reason, if he could find one to give, why execution should not be awarded.* On the 28th of October, therefore, Raleigh, weak and suffering as he was from an attack of ague, was brought to the bar. Yelverton, in a few brief sentences, demanded the execution of the Winchester judgment. Raleigh, when called upon to say what he could for himself, advanced the argument that the Winchester judgment was virtually discharged by the commission which had entrusted him with the power of life and death over others. He then began to speak of his late voyage. But he was immediately interrupted by the Chief Justice, who told him

* Hutton's Rep. 21.

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that he was not called in question for his voyage, but for the treason which he had committed in 1603. Unless he could produce an express pardon from the King, no argument that he could use would be admissible. Raleigh answered, that if that were the case, he had nothing to do but to throw himself upon the King's mercy. He believed that most of those who were present knew what the Winchester verdict was really worth; and he was sure that the King knew it too. As soon as he had concluded, Montague, in words which stood in strong contrast with the scurrility which would certainly have been heard if Coke had been still upon the Bench, awarded execution according to law.*

Raleigh prepares to die.

James had no intention of granting any further respite. It was in vain that Raleigh begged for a few days to complete some writings which he had on hand; he was told that he must prepare for execution on the following morning. As he was to suffer in Palace Yard, he was taken to the Gatehouse at Westminster to pass the night.

His last night in the Gatehouse.

With the certainty of death he had regained the composure to which he had long been a stranger. In the evening, Lady Raleigh came to take her farewell of her husband. Thinking that he might like to know that the last rites would be paid to his remains, she told him that she had obtained permission to dispose of his body. He smiled, and answered, "It is well, Bess, that thou mayest dispose of that dead which thou hadst not always the disposing of when it was alive."† At midnight she left him,

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and he lay down to sleep for three or four hours. When he woke he had a long conference with Dr. Townson, the Dean of Westminster, who was surprised at the fearlessness which he exhibited at the prospect of death, and begged him to consider whether it did not proceed from carelessness or vain glory. Raleigh, now as ever, unconscious of his real faults, did his best to disabuse him of this idea, and told him that he was sure that no man who knew and feared God could die with fearlessness and courage, except he were certain of God's love and favour to him. Reassured by these words, Townson proceeded

* Cayley, *Life of Raleigh*, ii. 161.
† Townson to Isham, Nov. 9, 1618. Cayley, *Life of Raleigh*, ii. 176.

to administer the Communion to him; after he had received it, he appeared cheerful, and even merry. He spoke of his expectation that he would be able to persuade the world of his innocence. The good Dean was troubled with talk of this kind, and begged him not to speak against the justice of the realm. Raleigh acknowledged that he had been condemned according to the law, but said that, for all that, he must persist in asserting his innocence.

He is conducted to the scaffold.

As the hour for his execution approached, Raleigh took his breakfast, and smoked his tobacco as usual. His spirits were excited by the prospect of the scene which was before him. Being asked how he liked the wine which was brought to him, he said that "it was good drink, if a man might tarry by it." At eight the officers came to fetch him away. As he passed out to the scaffold he noticed that one of his friends, who had come to be near him at the last, was unable to push through the throng. "I know not," he said, "what shift you will make, but I am sure to have a place." A minute after, catching sight of an old man with a bald head, he asked him whether he wanted anything. "Nothing," he replied, "but to see you, and to pray God to have mercy on your soul." "I thank thee, good friend," answered Raleigh, "I am sorry I have no better thing to return thee for thy good will; but take this nightcap, for thou hast more need of it now than I."*

His last speech.

As soon as he had mounted the scaffold, he asked leave to address the people. His speech had been carefully prepared. Every word he spoke, was, as far as we can judge, literally true; but it was not the whole truth, and it was calculated in many points to produce a false impression on his hearers.† On the commission which

* Chamberlain to Carleton, Oct. 31. *S. P. Dom.* ciii. 58. Lorkin to Puckering, Nov. 3. *Harl. MSS.* 7002, fol. 420.

† The part which relates to the French commission is a marvel of ingenuity. Not a word of it is untrue, but the general impression is completely false. In the MS. copy in the Record Office, it runs thus :—

"I do, therefore, call that great God to witness, before whom I am now presently to appear to render an account of what I say, that as I hope to see God, to live in the world to come, or to have any benefit or comfort by the Passion of my Saviour, that I did never entertain any conspiracy, nor ever had any plot or intelligence with the French King, nor ever had any advice

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he had received from the French admiral he was altogether silent, but he was emphatic in repudiating the notion that he had ever received a commission from the French King. He then said that Mannourie had charged him falsely with uttering disloyal speeches, and he protested warmly against the accusations which had been brought against him by Stukely. He spoke of the efforts which it had cost him to induce his men to return to England, and denied having wished to desert his comrades, whilst he was lying at the mouth of the Orinoco, waiting for tidings of San Thome.* He then adverted to a foolish tale which had long been current against him, to the effect that at the execution of the Earl of Essex, he had taken his place at a window in order to see him die, and had puffed tobacco at him in derision. The story, he said, was a pure fiction. "And now," he concluded by saying, "I entreat that you all will join with me in prayer to that Great God of Heaven whom I have so grievously offended, being a man full of all vanity, who has lived a sinful life in such callings as have been most inducing to it; for I have been a soldier, a sailor, and a courtier, which are courses of wickedness and vice; that His Almighty goodness will forgive me; that He will cast away my sins from me, and that He will receive me into everlasting life; so I take my leave of you all, making my peace with God."†

The execution.

As soon as the preparations were completed, Raleigh turned to the executioner, and asked to see the axe. "I prithee," said he, as the man held back, "let me see it; dost thou think that I am afraid of it?" He ran his

or practice with the French agent, neither did I ever see the French King's hand or seal, as some have reported, I had a commission from him at sea. Neither, as I have a soul to be saved, did I know of the French agent's coming till I saw him in my gallery, and if ever I knew of his coming or deny the truth, O Lord, I renounce thy mercy!" *S. P. Dom.* ciii. 53. The copy in Oldys' *Life* (*Works*, i. 558) is to the same effect. In the copy printed in the *Works*, viii. 775, Raleigh is made to say "I never had any practice with the French King, or his ambassador, or agent, neither had I any intelligence from thence." The last sentence would mean "intelligence from France," which would be false. But we may fairly give Raleigh the benefit of the doubt between the different reports.

* In this, no doubt, he is to be believed. Probably, however, he said something on which the charge was founded. Stukely says that Pennington was the captain who refused to follow him. If so, the story is not likely to be a pure invention.

† *S. P. Dom.* ciii. 53.

finger down the edge, saying to himself, "This is sharp medicine, but it is a sound cure for all diseases." He then knelt down, and laid his head upon the block. Some one objected that he ought to lay his face towards the east: "What matter," he said, "how the head lie, so the heart be right?" After he had prayed for a little while, he gave the appointed signal; seeing that the headsman was reluctant to do his duty, he called upon him to strike. In two blows the head was severed from the body. His remains were delivered to his wife, and were by her buried in St. Margaret's at Westminster.

Raleigh's last verses.

A copy of verses written by Raleigh the night before his execution was discovered, and was soon passed from hand to hand. It was a strange medley, in which faith and confidence in God appear side by side with sarcasms upon the lawyers and the courtiers. It was perhaps at a later hour that he wrote on the fly leaf of his Bible those touching lines in which the higher part of his nature alone is visible:—

"Even such is time that takes on trust
Our youth, our joys, and all we have,
And pays us but with age and dust;
Who in the dark and silent grave,
When we have wandered all our ways,
Shuts up the story of our days!
But from this earth, this grave, this dust,
The Lord shall raise me up, I trust."

General indignation.

"No matter how the head lie, so the heart be right." Perhaps, after all, no better epitaph could be found to inscribe upon Raleigh's tomb. For him, the child of the sixteenth century, it was still possible to hold truth and falsehood lightly, without sinking into meanness. In his chase after wealth, he was never sordid or covetous. His sins had brought with them their own punishment, a punishment which did not tarry, because he was so utterly unconscious of them. Yet it was no mere blindness to his errors which made all England feel that Raleigh's death was a national dishonour. His countrymen knew that in his wildest enterprises he had always before him the thought of England's greatness, and that, in his eyes, England's greatness was indissolubly con-

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nected with the truest welfare of all other nations. They knew that his heart was right.

The King's Declaration.

Against the flood of indignation which was so strongly setting against him, James attempted to make head in vain. By his directions, Bacon drew up the Declaration, which had been previously suggested by the Commissioners. It was founded on the evidence which had been taken, and there is not the smallest reason to suspect that any false statement was intentionally inserted by James or his ministers. But although the superstructure which they raised on that foundation may have been true in many respects, it was altogether false as a whole. For the key by which the evidence was to be unlocked was wanting. Starting from the theory that the mine was a mere figment of Raleigh's imagination, they could hardly fail to misinterpret the facts before them.

To such a pass had James brought himself. Indolently unwilling to make himself master of anything that could be put off till a more convenient season, he had suffered himself to float down the stream, till it was too late to recover his ground, and till it was impossible to punish an offender without perpetrating what can hardly be dignified with the title of a judicial murder.

Fate of Stukely.

The public indignation which could not openly be visited upon the King fell with all its weight upon Stukely. He tried to hold up his head at Court, but not a man would condescend to speak to him. He hurried to James, and offered to take the Sacrament upon the truth of the story which Raleigh had denied upon the scaffold. A bystander drily observed that if the King would order him to be beheaded, and if he would then confirm the truth of his story with an oath, it might perhaps be possible to believe him.* Sir Judas Stukely, as men called him, could find no one to listen to him. One day he went to Nottingham, with whom, as Lord High Admiral, his official duties in Devonshire had often brought him in contact, and asked to be allowed to speak to him. The old man turned upon him in an instant. "What," he said, "thou base fellow! Thou who art reputed the scorn and contempt of men, how darest thou

* Lorkin to Puckering, Nov. 3. *Harl. MSS.* 7002, fol. 420.

offer thyself into my presence? Were it not in my own house, I would cudgel thee with my staff, for presuming to be so saucy." Stukely ran off to complain to the King, but even there he met with no redress. "What," said James, "wouldst thou have me to do? Wouldst thou have me hang him? On my soul, if I should hang all that speak ill of thee, all the trees in the country would not suffice."*

One triumph more was in store for Raleigh's friends. A few days after this scene, it was discovered that both Stukely and his son had, for many years, been engaged in the nefarious occupation of clipping coin. It was even said that when his guilt was detected, he was busy tampering with the very gold pieces—the blood-money, as men called it—which had been paid him as the price of his services in lodging Raleigh in the Tower.† The news was received with a shout of exultation, and wishes were freely expressed that he might not be allowed to cheat the gallows.‡ Ready belief was for once accorded to Mannourie, who, being found to be an accomplice in his master's crime, was trying to purchase immunity for himself by accusing Stukely of having urged him to bring false charges against Raleigh.§ James, however, thought that he owed something to his tool, and flung him a pardon for his crime.‖ Stukely did not gain much by his escape. He made his way home to his own county of Devon; it was hardly wise of him to go amongst a people who held the name of Raleigh in more than ordinary reverence. He could not bear the looks of scorn with which his appearance was everywhere greeted. He fled away to hide his shame in the lonely Isle of Lundy, and in less than two years after Raleigh's execution he died a raving madman amidst the howling of the Atlantic storms.¶

Death of Cobham.

Many months before the death of Stukely, another man, who had, to some extent, been the cause of

* Lorkin to Puckering, Jan. 5, 1619. *Harl. MSS.* 7002, fol. 435.
† Lorkin to Puckering, Jan. 12, 1619. *Harl. MSS.* 7002, fol. 438.
‡ Chamberlain to Carleton, Jan. 9, 1619. *S. P. Dom.* cv. 7.
§ Lorkin to Puckering, Feb. (?), 1619. *Harl. MSS.* 7002, fol. 450.
‖ Pardon, Feb. 18, 1619. Pat. 16 Jac. I. Part 14.
¶ Camden *Annals.* Howel to Carew Raleigh, May 5, 1645. *Howel's Letters*, ii. 368.

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Raleigh's ruin, had passed away from the world. At the time when Raleigh was released from the Tower, in 1617, Cobham was still in prison. His health was giving way; and he petitioned the King to allow him to visit Bath. His request was granted, upon condition that he would engage to return to prison in the autumn. In September he was accordingly making his way back to London, and had reached Odiham, when a paralytic stroke made it impossible for him to continue his journey.* In this condition he lingered for more than a year, and it was not till the 24th of January, 1619, that he died. The feeling of detestation with which his memory was regarded, found expression in the fable that he died in complete destitution. For this fable there was no foundation whatever. But it was inconsistent with the popular idea of justice, that any man who had contributed to Raleigh's misfortunes, should die in ordinary comfort.†

* *Council Register*, May 14, Sept. 28, 1617.

† He was allowed by the King 100*l.* a year, besides 8*l.* a week for his diet. The payments were made with tolerable regularity to the last, a few weeks after they were due, as appears from the Order Book of the Exchequer, Nov. 7, Dec. 7, 1618, Feb. 6, 1619. The only support I have found for the ordinary story is a letter, in which it is said that Cobham lay unburied for want of money. Wynn to Carleton, Jan. 28, 1619. *S. P. Dom.* cv. 67. This, however, is easily accounted for. The Crown would refuse to pay the funeral expenses, and his relations may have hung back, as wishing to throw the burden upon the King.

CHAPTER III.

THE FALL OF THE HOWARDS.

THE two or three years which had elapsed since the sudden rise of Buckingham had witnessed many changes of his fickle nature, according as he was driven this way or that by the shifting breezes of his personal vanity. Placing his first step on the ladder of fortune by the help of the men who were most noted for their opposition to Spain, he was soon found co-operating with Gondomar to forward the Spanish alliance. A few months later he seemed likely to come back into the hands of Coke and Winwood, only to fall back under the spell of Gondomar's influence. And now once more he was drifting away from his moorings, and men began to think that he would finally cast in his lot with the adversaries of Spain. If there was one object upon which he was especially bent, it was upon having the credit of seeing every office under the Crown filled with his own creatures. But the process of waiting for vacancies was a slow one, and there was a body of men high in office who were by no means ready to truckle to the favourite. The Howard family were not possessed either of commanding abilities or of any great influence in the country; but they filled the most important posts in the state. One Howard, the Earl of Nottingham, was Lord High Admiral. Another Howard, the Earl of Suffolk, was Lord High Treasurer. The Treasurer's son-in-law, Lord Knollys, who had recently been created Viscount Wallingford, was Master of the Wards. One dependent of the family, Sir Thomas Lake, was Secretary of State; and another, Sir Henry Yelverton, was Attorney-General.

1618. Buckingham's vacillations.

The Howards

It was as a counterpoise to the influence of this great family that Buckingham had been originally brought

Opposed by Buckingham.

CH. III. 1618.

before the notice of the King. To the anti-Spanish party at Court, and to the great body of the nation, the Howards were odious as being all more or less openly Catholics at heart, and as giving their undisguised support to the marriage with the Infanta. For all this Buckingham cared but little. But he cared very much that a body of men, whose connection with his old rival Somerset was fresh in his mind, should retain the favour of the King, and should show him by word and look, as he jostled with them at the Council Table, and at Whitehall, that they knew that they did not owe their influence to his recommendation.

Monson at Court.

James had not long returned from Scotland, before open war was declared between Buckingham and the Howards. During the winter, either Suffolk, or as is more probable, his domineering Countess, were looking about for another Somerset, who might supersede the favourite in the good graces of the King. One young man after another was selected for his pleasing face and engaging manners to be thrown in James's way. At last the choice of the party fell upon the son of Sir William Monson. They made the poor lad wash his face with curds every morning to improve his complexion, and hopefully waited for the result. It was not a wise choice to have made. Only two years before, the youth's father and uncle had been imprisoned, nominally on account of their supposed complicity in the Overbury murder, but in reality because Sir William at least was known to have received a pension from Spain. James, in spite of the awe which he felt for Gondomar, fancied that he could treat with the Court of Madrid upon equal terms, and had no mind to throw Buckingham over for the sake of a nominee of Philip. He accordingly sent Pembroke to young Monson, to tell him that "the King did not approve of his forwardness. His father and uncle had been not long since called in question for matters of no small moment, and his own education had been in such places, and with such persons as was not to be allowed of."* One more attempt was made by Monson's friends to win the game which they had lost. On Easter-day he was sent to receive the Com-

* Chamberlain to Carleton, Jan. 3, Feb. 21, 28, 1618. *S. P. Dom.* xcv. 5, xcvi. 23, 37.

munion from the hands of Archbishop Abbot, in order to prove that he was not a Catholic. Often as the holy bread and wine have been prostituted to serve personal and political ends, they have been seldom, if ever, made use of for a more degrading object. It is satisfactory to know that nothing was gained by those who stooped to to such a profanation.*

The Prince's feast.

James was not slow in letting it be known that he still reposed unlimited confidence in Buckingham. In April, he granted him the lease of the Irish customs, at a rent low enough to enable him to put two or three thousand pounds a-year into his pocket.† Two months later the King seized an opportunity of declaring his feelings in a more open manner. There had been a boyish quarrel in a tennis court between the favourite and the Prince of Wales, and hard words had been freely exchanged between them. James enforced a reconciliation; and, as a pledge of its continuance, Buckingham gave a magnificent banquet, which was called the Prince's feast. The entertainment took place at Wanstead, an estate which had been successively granted by Elizabeth to Leicester and Mountjoy, and which had recently been given by James to Buckingham in exchange for land not worth a tenth part of its value.‡ As soon as the feast was ended, the King stepped up to the table at which the ladies were seated, and drank the health of the whole Villiers family. "I desire," he said, "to advance it above all others. Of myself I have no doubt, for I live to that end; and I hope that my posterity will so far regard their father's commandments and instructions, as to advance that house above all others whatever."§

* Chamberlain to Carleton, April 10, 1618. *S. P. Dom.* xcvii. 13.

† Salvetti, in his *News-Letter* of the 8th of April, says that the rent was 5000*l.* and the revenue twice as much. But it appears from the indenture between the King and Buckingham (May 23, 1618. Close Rolls, 16 Jac. I. Part 16), that the rent was 6000*l.* and half of the remaining revenue. If we take Salvetti's estimate of the profits, Buckingham would make about 2000*l.* by the bargain. In 1613 the customs had been leased for 6000*l.* without any mention of half the surplus (Grants to Ingram and others, July 23, 1613. Patent Rolls, 11 Jac. I. Part 2). So that Buckingham does not seem to have made more out of the customs than any other patentee would have done.

‡ Salvetti's *News-Letter*, July $\frac{2}{12}$, 1618.

§ Lorkin to Puckering, June 30, 1618; *Harl. MSS.* 7002, fol. 410.

CH. III.

1618.

Charges against Suffolk.

Buckingham now found himself strong enough to carry the war into the enemy's quarters. In those times it was easy enough for any one who felt himself safe through innocence or favour, to bring charges against any officer of the Crown, which would be very difficult to refute. For the revenue even of the most guarded official was derived from sources which it was impossible to defend on principle, and it was rarely if ever that any official was so guarded as not sometimes to overstep the limits recognised by the practice of the day.

To charges of this kind Suffolk was peculiarly open. Through the whole of his life, his great difficulty had been his avaricious and intriguing wife. It was by her that he had been dragged into his connection with successive Spanish ambassadors, and in every action of his life he was contented to follow submissively in her wake. For he was an easy-tempered man, and it was generally thought that if he had been unmarried, he would have fulfilled the duties of his office honestly enough to have retained the white staff till his death.

He is deprived of the Treasurer-ship.

Chance threw in Buckingham's way the opportunity for which he was looking. On the 18th of July, a Secretary of Suffolk's son-in-law Wallingford, was detected in robbing his master. To save himself, he accused the Lord Treasurer of bribery, and of malpractices in which Lady Suffolk and Sir John Bingley, one of the officials of the Exchequer, had taken part. His assertions must have been supported by evidence of greater weight than his own; for on the very next day, Suffolk was called upon to resign his staff, and the Treasury was immediately put into commission. The new Commissioners* were ordered to examine into the state of the finances, and to report upon the grounds which existed for prosecuting Suffolk.†

Buckingham's treatment of Lake.

Buckingham was not content with ruining the Treasurer. He strongly suspected that Lake had taken part in the abortive plot for bringing Monson into favour, and had made up his mind to drive him, if possible, from Court. In June an opportunity had presented itself, of which he had not been slow to take advantage. James had

* They were Bacon, Abbot, Andrewes, Naunton, Coke, and Greville.
† Camden's *Annals*.

expressed himself strongly about Lady Suffolk in the hearing of Lake. If the Lord Treasurer, he said, did not send his wife away from London, he would have her carted out of town like the vilest of her sex. Soon afterwards James, having heard that his hasty words had been repeated by Lake to his patron, sent for the Secretary, and rated him soundly for betraying his secrets. In the hope of recovering the ground which he had lost, Lake cast himself at Buckingham's feet. He assured him that he had had nothing to do with bringing Monson to Court, and offered him 15,000*l.* to procure his restoration to favour. His anxiety was the greater as he heard that Carleton had got scent of his approaching fall, and had been permitted to come over from Holland to sue for the post which was likely to be vacated by his dismissal from office. Finding that Buckingham turned a deaf ear to his entreaties, he betook himself as a last resource to Lady Compton, and the proffered bribe was in all probability transferred to her pocket. At all events, she took up his cause warmly; and on the 10th of July Buckingham told him that he was ready to listen to his explanations. Three or four weeks later his submissive behaviour had to all appearance replaced him in the favourite's good graces, and Carleton was ordered to return to his post at the Hague.*

Quarrel between Lord and Lady Roos.

Unfortunately, however, for Lake's prospects, he was already involved in a quarrel with the Cecils, who were at this time deep in the confidence of Buckingham. Lord Roos, the grandson and heir of the Earl of Exeter, was married to the Secretary's daughter early in 1616. He was a dissolute and heartless youth, and both Lady Roos and her mother, Lady Lake, were alike artful and unprincipled women. The marriage had not lasted a year before husband and wife were at open war. The ostensible cause of the quarrel was, like that which had separated Coke and Lady Hatton, a question of money. Roos had mortgaged his estate at Walthamstow to his father-in-law, and Lake proposed that the lands should be altogether made over to his daughter's separate use. If

* Salvetti's *News-Letters*, $\frac{\text{May 28}}{\text{June 7}}$, June $\frac{4,\ 11,\ 18,}{14,\ 21,\ 28,}$ July $\frac{2}{12}$, $\frac{\text{July 28}}{\text{Aug. 7}}$, 1618.

CH. III. 1618. Roos is to be believed, the Secretary made full use of the advantages of his official position to force the bargain upon him. When he was making preparations for his embassy to Madrid, he found that no money could be obtained from the Exchequer; and it was intimated to him, that unless he made the required provision for his wife, he would have to meet the expenses of his mission out of his private purse. Rumour went further, and it was said that he was told that unless he yielded, Lady Roos would apply for a divorce on the same grounds as those which had caused so much scandal in the case of Lady Essex.* Intimidated by the threats held over him, the frightened young man gave way; and before setting out for Madrid he commenced taking the legal steps which would in time lead to the conveyance of the property to his father-in-law.†

1617. Insult to Lord Roos.

Before the bargain was completed, the Earl of Exeter stepped in. His consent was in some way or other required, and this he refused to give. Lord Roos duly returned from Spain, but there were no signs that the Walthamstow lands would ever pass into the hands of his wife or her family. The Lakes were furious. At the instigation of her brother Arthur,‡ Lady Roos sent a message to her husband, who was now living apart from her, asking to see him, in order that she might return with him to his house. Upon his arrival at her father's door, he was attacked by Arthur Lake, at the head of a number of his servants, and was hustled back into his coach. Mortified and insulted, he was forced to return alone.§

His flight to Rome.

Yet, in spite of the reception which he had met with, not many weeks passed before he was again living with his wife at his grandfather's house at Wimbledon. Whatever may have been the secrets of his married life, it is plain that he was almost driven mad by the united efforts of his wife and her mother. The most horrible charges were kept hanging over his head, and he was told that if he refused to do as he was bidden, they would be

* Chamberlain to Carleton, June 4, 1617. Roos to the King, June 1, 1618. *S. P. Dom.* xcii. 61, xcvii. 89.

† Feet of Fines. Manor of Walthamstow, Essex. Trin. Term. P. R. O.

‡ So at least Lord Roos firmly believed.

§ Gerard to Carleton, June 4, 1617. *S. P. Dom.* xcii. 62.

brought publicly against him. At last he could bear it no longer. Five months after his return from Spain, he slipped away from his tormentors, and, with letters of introduction from the Spanish Ambassador in his pocket, made his way to Rome in the character of a convert.*

1617.

Charges against Lady Exeter.

Next to her husband the person whom Lady Roos hated most was the Countess of Exeter, the young wife of her husband's aged grandfather, by whose influence the Earl had been led to put a stop to the conveyance of the Walthamstow estate. Elated with the success of her secret insinuations against her husband, Lady Roos now began to charge him openly with an incestuous connexion with his grandfather's wife. As if this were not enough, she added that Lady Exeter had attempted to poison her, in order to conceal her guilt.†

It seems as if she was unable to check herself in her career of invention. In her haste to heap charges upon Lady Exeter's head, she added the improbable story that, by threats of disclosing what she knew, she had brought the Countess to acknowledge, in writing, the truth of her guilt in every particular; and she even produced a paper to this effect, which she asserted to be in Lady Exeter's handwriting. To this she added another, bearing the signature of Luke Hatton, a servant of the Countess, in which his mistress was accused of an attempt to poison Sir Thomas Lake as well as his daughter.

1618.

Star-Chamber proceedings.

Such charges, reiterated as they were by the whole Lake family, could not be allowed to pass unnoticed. Lady Exeter appealed to the King for justice, and it was agreed that the quarrel should be fought out in the Star-Chamber. Deposition after deposition was taken with the uniform result of leaving Lady Roos's case blacker than it was before. It was proved that the confession said to have been written by Lady Exeter, and the paper to which Luke Hatton's signature was attached, were both of them forgeries. It fared still

* Chamberlain to Carleton, Jan. 3, 1618. *S. P. Dom.* xcv. 5.

† The main facts of the story may be clearly made out from the Abstract of proofs, &c. *S. P. Dom.* cv. 81, 82.

CH. III. 1618.

worse with Lady Roos's attempts to add weight to her own unsupported evidence. Her maid, Sarah Swarton, had been induced by her to swear that she had been placed behind the hangings at Wimbledon, to witness the scene in which Lady Exeter acknowledged her guilt. James, who prided himself upon his skill in the detection of imposture, took her down to Wimbledon, and ordered her to stand in the place in which she said that she had been stationed by her mistress. To her discomfiture, it was found that the hangings scarcely reached below her knees, so that it was impossible that she could have escaped detection in such a position.

An attempt to prove that Lady Exeter had written to Lord Roos in unbecoming terms broke down no less completely. It was far from conclusive that one witness said that he had once seen such a letter amongst some old papers in a trunk, and that another said that he had carried about a similar letter in his pocket, and had finally used it to light his pipe. Further investigations into the charge of poisoning only served to prove that there was not one word of truth in the matter.

Behaviour of Sir Thomas Lake.

From these inquiries the character of Sir Thomas Lake did not come out scatheless. It appeared that at the time when his daughter was seeking for evidence against her enemy, he had sent for a certain Gwilliams, and had committed him to prison. His own account of the matter was, that he had done so because he had been unable to extract from him information about the flight of Lord Roos. Gwilliams, however, said that Lake had examined him about Lady Exeter's conduct, and that Lady Roos had offered him a bribe to accuse the Countess, and had pressed him to sign a folded paper, the contents of which he had not been permitted to see. It was to his refusal to comply with these demands, that he, naturally enough, attributed his imprisonment. By-and-bye, it came out that Hatton also had been imprisoned by Lake, and he too stated that his misfortunes were due to his refusal to join in the accusation against Lady Exeter.

Death of Lord Roos.

James, who seems to have wished to see fair play, was anxious to obtain Lord Roos's own testimony. He accordingly offered him a pardon for leaving the realm

without licence, on condition of his immediate return. Before the offer reached him he had died at Naples. Rumour attributed his death to poison, but such a rumour was too certain to spring up to merit attention in the absence of all corroboration.* 1618.

It was not till the 13th of February, 1619, that the cause was ready for sentence. James himself came down to pronounce with his own lips the award of the Court. Sir Thomas and Lady Lake, with their daughter, were condemned to imprisonment during pleasure, and to fines, which, together with the damages awarded to Lady Exeter, amounted to more than 20,000*l.* Lake's eldest son, who had put himself prominently forward as the accuser of the Countess, was called upon to pay upwards of 1600*l.*, and Sarah Swarton, if she persisted in denying her imposture, was to be whipped, and branded on the cheek with the letters F.A., as a false accuser, and then to be sent back to prison for the remainder of her life. 1619. The sentence.

Of the guilt of Lady Roos and her maid there could be no doubt whatever. Nor was it possible to acquit the Secretary himself from blame. Whatever may have been the real history of the imprisonment of Gwilliams and Hatton, he had certainly lent his name to the circulation of his daughter's libels, and that too in spite of a warning from the King, that he would do better to use his influence to induce her to withdraw them.† How far was it just?

It is more difficult to say what was the precise guilt of Lady Lake. In giving sentence, the King compared her to the serpent in Paradise, whilst he ascribed the part of Eve to her daughter, and that of Adam to her husband. But the general opinion of the day threw the chief blame upon the younger lady, and not only did Lady Lake herself protest in the strongest possible manner that she was guiltless of the subornation of witnesses, or of the forgery itself, but whatever evidence has reached us is such as to favour the theory that she was herself deceived by her

* Roos to the King, June 1. *S. P. Dom.* xcvii. 89. Lorkin to Puckering, July 14, 1618. *Harl. MSS.* 7002, fol. 414.

† Lorkin to Puckering, Feb. 16, 1619. Goodman's *Court of King James*, ii. 176.

CH. III. 1619.

artful daughter.* The most probable explanation is, that at the time of her quarrel with her husband, Lady Roos's prurient imagination brought before her mind the chief incidents of the Essex divorce, and that she weaved them into a story which imposed upon her mother, and which was intended to impose upon the rest of the world.†

Confessions of the condemned persons.

Almost immediately after the sentence had been passed, it was intimated to the prisoners that they might at any time obtain pardon by acknowledging the justice of their condemnation. Sarah Swarton was the first to give way. The prospect of the pillory and the whipping was too much for her. She confessed her own guilt, throwing the whole blame upon Lady Roos, and exonerating as much as possible Sir Thomas and Lady Lake. Her punishment was accordingly remitted, and, at the end of a few months, she was set at liberty.‡ On the 9th of June, Lady Roos confessed, and was allowed to leave her prison. Not long afterwards her father was released, and after some delay made his submission in due form. His wife was more stubborn, and it was only after more than two years' hesitation that she could be brought to make even a formal acknowledgment that she had been in any way in fault.§ The whole fine was not exacted, but Lake had to pay 10,200*l.* into the Exchequer in addition to the damages to Lady Exeter.

Calvert succeeds Lake as Secretary.

Immediately after the sentence had been delivered the Secretary was called upon to resign his office. His successor was Sir George Calvert, an industrious, modest man, who might be trusted, like Naunton, to do his work silently and well. In former times he had been a Secre-

* From the deposition of Mary Lake (*S. P. Dom.* cv. 82), it appears that when on one occasion Lady Lake visited her daughter, Lady Roos pretended to be ill and took to her bed. This must have been to make her mother believe the story of the poisoning which she had just invented. Lady Lake's protestation of her innocence will be found in a letter to Lady Exeter in Goodman's *Court of King James*, ii. 196.

† The poison Lady Roos said she had taken was roseacre, and the ground upon which she threatened her husband with a divorce was precisely the same as that with which Lord Essex was got rid of.

‡ Chamberlain to Carleton, Feb. 27, July 31, 1619. *S. P. Dom.* cv. 143, cix. 161. *Council Register*, June 27, 1619.

§ Submission of Lady Roos, June 19. Chamberlain to Carleton, July 15, 31. Submission of Sir T. Lake, Jan. 28, 1620; May 2, 1621. *S. P. Dom.* cix. 99, 133, 161; cxii. 43; cxxi. 5.

tary of Salisbury, but his opinions fitted him to be the channel of communications which could not safely be entrusted to one who looked with extreme favour upon the Continental Protestants; for though he was anything but a thorough-going partisan of the Spanish monarchy, yet he had no sympathy whatever with those who thought that a war with Spain was a thing to be desired for its own sake.

1618. Dismissal of Wallingford.

Both Lake and Suffolk had woven the nets in which their own feet were entangled. It was more difficult to get rid of Suffolk's son-in-law, the Master of the Wards. Wallingford's character was without a stain. When, at the time of the Overbury murder, Mrs. Turner was flinging out the fiercest charges against every one who was connected with the house of Howard, she paused at the name of Wallingford. "If ever there was a religious man," she said, "it was he."

Wallingford's one unpardonable fault was the part which he had taken in the introduction of young Monson to Court. In the war of lampoons which was waged between the two factions into which the Court was divided, Lady Wallingford had taken an active part, and she had not spared her sister, Lady Salisbury,* who, if report was to be credited, had rewarded the guilty passion of Buckingham with her favours, and who had now joined her foolish husband and her sprightly paramour in their attack upon her own relations. It was not difficult to shock James with the stories which were told him of Lady Wallingford's biting tongue. Sending for the Master of the Wards, he told him that he did not wish to be any longer served by the husband of such a wife. At first Wallingford refused to give way, and courted inquiry into his conduct.† It was not without difficulty that he was at last induced, in spite of his wife's opposition, to resign his office upon a promise of compensation for his loss.‡

1617. State of the finances.

It was impossible that the official changes should stop here. Serious attention was now at last being paid to

* Chamberlain to Carleton, March 27, Dec. 19, 1618. *S. P. Dom.* xcvi. 87
† Lorkin to Puckering, Oct. 20, 1618. *Harl. MSS.* 7002, fol. 418.
‡ Digby to Buckingham, Dec. 1, 1618. *S. P. Spain.*

CH. III. 1617.

the state of the finances. Amongst those who raised their voices the loudest on the side of economy, Bacon was always to be found. Immediately after his restoration to favour on the King's return from Scotland in 1617, he had drawn James's attention once more to the condition of the Exchequer.* Yet bad as things seemed to be, there were not wanting signs that the worst was past. For the first time since James's accession it was possible to prepare an estimate in which the regular and ordinary expenses of the crown would be met by the revenue, and though, when the irregular expenditure for which no provision had been made came to be added to the amount, there would probably be a deficit of eighty or a hundred thousand pounds, even this was an immense step in advance. The improvement was owing in part to the increased economy of the King, but still more to the marvellous elasticity of the revenue, an elasticity which was the more satisfactory, as it was produced not by the imposition of new taxes, but by the increasing prosperity of the country, and by the rapid growth of trade. Spaniards who had seen England complained bitterly that the wealth to which the greatness of Lisbon and Seville had been owing was now flowing into the Thames.† The receipt books of the Exchequer told a similar tale. The great customs, which at James's accession had produced less than 86,000*l.*, were now leased for 140,000*l.* The wine duties had risen from 4,400*l.* to 15,900*l.*, and all this without laying a single additional penny upon the consumer.

The City loan.

Yet, though the prospect was more hopeful than it had been, the immediate difficulties were by no means light. The actual deficit for the past year had reached 150,000*l.* The deficit for the ensuing year would probably reach 100,000*l.* The money obtained by the sale of the cautionary towns had all been spent, and a loan of 100,000*l.* which the city of London had, not without difficulty, been induced to advance in the spring, had

* Memorial printed in *Bacon's Works*, ed. 1778, iii. 350.

† "Es cierto que desde las pazes acá ha crecido el comercio de solo Londres mas de treinta millones," *i.e.* by 7,500,000*l.* Gondomar to Ciriza, Nov. $\frac{11}{21}$, 1619. *Simancas MSS.* Est. 2599.

also been swallowed up. The actual condition of the exchequer was well represented by a caricature which appeared about this time in Holland, in which James was portrayed with his pockets turned inside out, and which bore the sarcastic inscription:—"Have you any more towns to sell?"*

Difficulty of its collection.

If it had been difficult to persuade the city authorities to promise the money, it had been still more difficult to collect it. It had been left to the Government to compel individual citizens to pay their quota, and not a few resisted the demand. One man, named Robinson, utterly denied that he was bound to lend his money against his will. The Council could do nothing with him, and sent him down to the King, who had already recrossed the border on his return from Scotland. Robinson was unlucky enough to find James in a bad humour. He had expected to find at Carlisle money with which to pay the daily expenses of his journey. It was not till he had advanced thirty miles beyond that city that he met the treasury escort carefully guarding a cart, in which was a bag containing no more than 400*l.* Lake was directed to expostulate with the officials in London upon the smallness of the sum; but he was met with the pertinent question:—"If your wants are so great now, what will they be after your return?" Nettled with a question to which it was impossible to reply, James visited his displeasure upon Robinson, and finding him still obstinate, ordered him to follow his train on foot to London.† We are not told whether the sturdy citizen continued resolute in the face of the unusual exercise thus suddenly required of him in the month of August.

Proposed retrenchments.

The recollection of the examination of the cart on the Cumberland road had, no doubt, as much effect upon James as Bacon's more serious admonitions. His debts now amounted to 726,000*l.*,‡ and unless reforms were speedily effected, they would soon be altogether beyond his control. Accordingly he wrote to the Council, telling

* Lovelace to Carleton, March 11, 1617. *S. P. Dom.* xc. 113.

† Lake to Winwood, Aug. 16. Winwood to Lake, Aug. 20, 1617. *S. P Dom.* xciii. 25, 31.

‡ The Council to the King, Sept 27, 1617. *S. P. Dom.* xciii. 99.

CH. III. 1617.

them that he had determined to abate all superfluous expenses, and to dismiss all unnecessary officers. It was for them to tell him how this was to be accomplished. They might cut and carve at their pleasure. He did not want an answer in writing. What he asked for was immediate action.*

The councillors were delighted with the letter. They determined to strike whilst the iron was hot. Officials were summoned from all quarters, and were directed to make reports on the branches of the expenditure with which they were practically acquainted. Pensions were suspended and curtailed; and there seemed to be at last a chance that James would be able to pay his way.

The new officials.

Yet with all this zeal, it may be doubted whether the efforts of the Council would have been crowned with success, if it had not been for the assistance which they received from a new class of officials who were now rising into the places hitherto occupied either by great nobles or by great statesmen. These men were men of business, and they were nothing more. Accustomed to dependence from their first entry upon public life, they cared little or nothing for politics, and they made it the main object of their activity to promote the interests of the King. The increasing subserviency of the Privy Councillors was in itself an evil of no light importance. But there can be no doubt that in matters of administrative detail, James was far better served at the end of his reign than he had been at the beginning.

Lionel Cranfield.

Of the new men the foremost was undoubtedly Lionel Cranfield. He had begun life as a London apprentice. With his handsome face and ready wit, he had won the affections of his master's daughter, and had started in trade upon his own account with the 800*l.* which he received as her marriage portion. Not long afterwards the city was agitated by a dispute concerning the proper manner of raising the money which was required for the establishment of its colony at Londonderry. The Court of Aldermen proposed that each of the city companies should take upon themselves an equal share of the ex-

* The King to the Council, Nov. 21, 1617. *Bacon's Works*, ed. 1778, iii. 354.

pense. Naturally enough, the smaller and poorer societies objected to the scheme as essentially unfair. The question was referred to the Privy Council, and Cranfield was selected as the spokesman of the Mercers' Company, of which he was a member. He had a good cause, and he was sure to make the most of it. When he came away, he had not only been successful in carrying his point, but he had left upon all who heard him a deep impression of his ability.

He comes under the notice of the King.

When Cranfield is next heard of, he had taken part, together with several other merchants, in a contract for the purchase of a large quantity of land, which the King had been obliged, by his necessities, to sell. One day, as the contractors were consulting on the best means of making a profit by their bargain, Cranfield told them that he knew that Northampton, who was at that time at the height of his influence, wanted to purchase a small portion of the land; and he advised them, if they wished to consult their own interests, to make him a present of it. It is probable enough, that in this politic proposal he may have given good advice to his companions. It is certain that he could not have done better for himself. Northampton, who had not forgotten his appearance before the Council, introduced him to the King as a young man of promise. From that moment his fortune was made. He was never without constant employment. After Salisbury's death, financial knowledge was rare at the council-table, and Cranfield's services were invaluable. He was knighted by James in 1615, and was appointed Surveyor-General of the Customs. In such an occupation he displayed both zeal and honesty. His city experience stood him in good stead in enabling him to detect the malpractices of the officials.* He had a thorough knowledge of business, and an unwavering determination not to allow the King to be cheated. Tradesmen, who had made a handsome profit, and more than a handsome profit, out of the earls and barons with whom they had previously had to do, were taken aback when they were called upon to deliver their accounts to

* Goodman's *Court of King James*, i. 296.

Ch. III. 1617. a man who knew to a farthing what was the wholesale price of a yard of silk, and who was as deeply versed as they were in the little mysteries of the art by which a short bill might be made to wear the appearance of a long one. But here the praise due to him must stop. He was a careful and economical administrator; but he was nothing more. Of general politics he knew nothing, and on the higher questions of statesmanship there was neither good nor evil to be expected from Cranfield.

1618. Reforms in the Household. In carrying out the proposed reforms, the foremost place was occupied by Cranfield. He had a hard fight to put down the abuses which were swarming about him. The Household was one mass of peculation and extravagance; and from the officers, whose perquisites were threatened, he was sure to meet with the most unrelenting opposition. Yet, in spite of all that they could do, he succeeded in effecting an annual saving of no less than 23,000*l.*

The Wardrobe. From the Household, Cranfield turned his attention to the Wardrobe. The mastership was in the hands of Hay, and it may well have seemed to be a hopeless task to introduce economy into an office presided over by such a man. And yet it was difficult to get rid of him. He was a Privy Councillor, and high in favour with the King. There was no likelihood that a quarrel would spring up between him and Buckingham. He cared nothing for political influence, and the amiability of his temper was such that he never quarrelled with any one in his life. Though he had been admitted to the King's confidence when Buckingham was a child, he had never taken the slightest umbrage at the sudden rise of the new favourite.

1617. Hay's courtship. Only a few months had passed since the fascination of his manners had secured him the love of Lucy Percy, the sparkling and attractive daughter of the Earl of Northumberland. In the course of his wooing he had invited her to be present at one of those splendid entertainments which have given such a questionable celebrity to his name. Doubtless there was no delicacy which art or nature could provide wanting to tempt the palates of his guests. It is not unlikely that on this occasion he may have dis-

played that particular form of extravagance by which he obtained considerable notoriety amongst his contemporaries. The invention of the double supper was peculiarly his own. When he wished to show more than ordinary hospitality, the guests were invited to take their seats at a table covered with a profusion of the most exquisite cold dishes. But before they had time to fill their plates, the servants hurried in and, snatching the food from before their faces, as if it had been unworthy of their acceptance, replaced it by an array of hot dishes. It is seldom that a man who is guilty of such extravagance as this is not a fool. Yet Hay, though he was right in not pressing into offices which would have called for the exercise of the higher intellectual powers, had all those qualities which fit their owner to shine in society.

Difficulties in his way.

On this evening the guests may have been well satisfied with their entertainment, but the master of the house was deeply disappointed. Lucy Percy, for whose sake the festivities had been arranged, did not make her appearance; and as, in a few days, Hay would be obliged to attend the King in his journey to Scotland, he had lost his chance of seeing her for many months. It was not long before he learned the cause of the lady's absence. She had accompanied her sister, Lady Sidney, to visit her father in the Tower. To the pride of the old English nobility, Northumberland joined a special contempt for the King's Scottish courtiers, which he perhaps derived from the recollections of the old border feuds in which his ancestors had taken so conspicuous a part. He had, therefore, set his face against the marriage. As soon as his daughter rose to leave him, he turned to Lady Sidney, and told her to send one of her sister's servants, as he should be glad of Lucy's company a little longer. "I am a Percy," he said, by way of explanation, "and I am not fond of Scotch jigs." * It was not long, however, before he learned that it was not easy to keep out love by bolts and bars. He was indiscreet enough to allow his daughter to fall in Lady Somerset's way, from whom she received every encouragement to stand out against her father. Finding his admonitions thrown away, he

* Chamberlain to Carleton, Feb. 22, March 8, 1617. *S. P. Dom.* xc. 79, 105.

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at last allowed his daughter to return to her mother at Sion House, first taking care to inform her that, if she married Hay, she must not expect any portion from him. Perhaps he thought that this would be enough to cool the ardour of a Scotchman. If so, he was disappointed. Hay was far too careless of money to be stopped by an obstacle of such a nature.

His marriage.

Hay's courtship was characteristic of the man. He was as ardent in love as in all other pursuits; and as soon as he returned to England he took a house close to Sion, so as to be able to spend day after day in the society of his betrothed. But though Lady Northumberland was very well pleased with the attentions of her future son-in-law, she altogether declined to allow him to take his meals in her house. The humble fare, she said, which was good enough for the Percys, was not sufficiently refined for him. When, therefore, the hour arrived at which the household was summoned to dinner or supper, the disconsolate lover was driven out of the house with orders not to return till the meal was over.* After a few months this inconvenient arrangement came to an end. The marriage was solemnised on the 6th of November, in the presence of the King and of a brilliant assembly of courtiers.

1618. He resigns the Wardrobe.

It was evident that such a man was ill-placed in the Mastership of the Wardrobe, an office in which economy was imperatively demanded. Yet when it was first proposed to him to relinquish it he refused to do so, and it was with some difficulty that he was finally induced to retire upon receiving a compensation of 20,000*l.*,† to which, if report is to be trusted, was added 10,000*l.* paid, according to the custom of the time, by Cranfield,‡ who was nominated as his successor.§ It was not long before the savings which were realised under the management of the new Master showed that the 20,000*l.* had

* Chamberlain to Carleton, Aug. 9, 1617. *S. P. Dom.*

† Contarini to the Doge, $\frac{\text{July } 23}{\text{Aug. } 2}$, 1618. *Venice MSS.* List of Payments. *S. P. Dom.* cxvi. 122.

‡ Salvetti's *News-Letter*, $\frac{\text{Aug. } 27}{\text{Sept. } 6}$, 1618.

§ Appointment of Cranfield, Sept. 12, 1618. *Patent Rolls*, 16 Jac. I. Part 21.

been profitably spent. Hay was further consoled by the higher title of Viscount Doncaster.

The Navy Commission.

Of still greater importance was an investigation, which was at last commenced in earnest, into the condition of the navy. For this purpose a commission was appointed, of which Cranfield was a member, but in which, overburthened as he was with other business, the chief part of the labour fell upon Sir John Coke, a man who was by no means deficient in administrative capacity, though in later life he made himself supremely ridiculous by his pretensions to statesmanship. The appointment of this commission was a sore blow to Nottingham. The Lord High Admiral had succeeded in setting aside the report of the commission of 1608, and in preventing altogether the appointment of a fresh commission in 1613. But it was impossible for him to resist inquiry any longer. The expenses of the navy were growing with unexampled rapidity, and as its expenses increased, its efficiency declined.

Report of the Commissioners.

After a full investigation, the Commissioners sent in their report. Of the forty-three vessels of which the navy was nominally composed, nearly half were utterly unserviceable, and were with difficulty kept from sinking by incessant repairs, without the slightest prospect that they would ever again be fit for sea. So far from its being any wonder that so much money had been spent, the only wonder was that far more had not been swallowed up in the bottomless gulf of the Admiralty administration. The whole department was utterly without organization. It sometimes happened that extensive works were taken in hand at the dockyards, and that after large bodies of labourers had been engaged, it was discovered that the proper officers had either neglected to provide the necessary materials, or had been left by their superiors without the money with which to purchase them. Everything else was in equal disorder. Unsound timber had been paid for as if it had been in the best condition. Far higher prices had been given for stores than any private purchaser would have cared to pay. Incorrect entries in the books were of frequent occurrence. It was not unknown that when ships had been

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ordered round to Deptford for repairs, it was only after the expense of moving them had been incurred that it was discovered that they were so rotten that it was not worth while to spend any more money upon them. The root of the evil lay in the appointment of officers at high salaries who did little or nothing, whilst the inferior officers who did the work were left either to plunder the Crown or to starve. In fact, this part of the report only expressed in sober and official language what was perfectly well known to every one who lived near the dockyards. Long afterwards Bishop Goodman used to tell how a friend with whom he was walking at Chatham drew his attention to the stately mansions which had sprung up like mushrooms round the yard. "All these goodly houses," he said, "are built of chips." The explanation of the riddle was that the chips were considered to be the perquisite of the officials.*

Proposals for the increase of the navy.

To their report the Commissioners appended a calculation that for some years past the average annual expenditure on the navy had been no less than 53,000*l.* They added that they were themselves ready to meet all necessary expenses, and to build ten new ships within the next five years without exceeding 30,000*l.* a-year. The navy would then consist of thirty large vessels, besides a few smaller craft. It is true that the number of vessels left by Elizabeth had been forty-two. But the tonnage of the fleet of 1603 had been only 14,060, whilst 17,110 tons would be measurement of that which was promised by the Commissioners.† Nor were these mere words, to be forgotten as soon as the momentary purpose of displacing Nottingham was accomplished; for when the five years came to an end, it was found that all the promises of the Commissioners had been fulfilled.

Negotiation with Nottingham.

After such an exposure it was impossible for anyone who bore the name of Howard to remain longer at the Admiralty. Already at the beginning of the year it had been proposed to Buckingham that he should take the

* Goodman's *Court of King James*, i.

† Appointment of the Commission, June 23, 1618. *Patent Rolls*, 16 Jac. I., Part 1. Report of the Commissioners, and other papers. *S. P. Dom.* c. 2; ci. 2, 3. The number of vessels is taken from the last-quoted document, which seems to give the final determination of the Commissioners.

place of the old man whose administration had been so disastrous. At that time he hung back and pleaded his youth and inexperience.* But after the report of the Commissioners it was evident that a change was necessary, and he gave way before the flattering solicitations of those who told him that his influence with the King would be the best guarantee for the good administration of the navy. At first it was arranged that he was merely to have the reversion of the post. But it was soon found that this would hardly meet the necessities of the case. The reforms which the Commissioners had suggested called for immediate action, and the old Admiral naturally resented a proposal that the commission by which his official conduct had been condemned should be reappointed as a permanent body, with the scarcely concealed object of taking the administration of the dockyards out of his hands.† A middle course was accordingly hit upon. Buckingham was to be co-admiral with Nottingham, leaving to the old sailor the dignity of the office, whilst performing himself its functions in person or by deputy. This arrangement, however, was never carried into effect. Nottingham had at last the good sense to resign a post for which he was altogether unqualified. A pension of 1000*l.* a-year was assigned him by the King, and Buckingham, who added a sum of 3000*l.* as an additional compensation to his predecessor, became Lord High Admiral of England.‡

Buckingham Lord High Admiral.

The immediate result of Buckingham's instalment in office was the reappointment of the Navy Commission as a permanent board.§ Buckingham was as unlikely as Nottingham had been to trouble himself with details about dockyard expenditure. But whilst Nottingham would neither do the work himself, nor allow anyone else to do it for him, Buckingham had not the slightest objection

* Harwood to Carleton, Jan. 8, 1618. *S. P. Dom.* xcv. 8. The King's Speech in opening the Parliament of 1621.

† Salvetti's *News-Letters*, Oct. $\frac{9}{19}$, Nov. $\frac{6}{16}$, 1618.

‡ Commission to Buckingham, Jan. 28, 1619. *Patent Rolls*, 16 Jac. I., Part 17. Rushworth, i. 306, 379. Chamberlain to Carleton, Feb. 6, 1619. *S. P. Dom.* cv. 83.

§ Commission to Cranfield and others, Feb. 12, 1619. *Patent Rolls*, 16 Jac. I., Part 3.

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to letting other people toil as hard as they pleased, provided that he might himself enjoy the credit of their labours.

Growing influence of Buckingham.

Buckingham was every day acquiring a firmer hold upon the mind of James. A year had not passed since the introduction of Monson to Court before he saw all his rivals at his feet. With the single exception of Yelverton, not a Howard, or a dependent of the Howards, remained in office. Buckingham was no longer the mere favourite of the King. He was the all-powerful minister, reigning unchecked in solitary grandeur.

Administrative reforms.

Yet, however much the change is to be attributed to court intrigue, it must not be forgotten that it was something more. It was a blow struck at the claim to serve the State on the ground of family connexion. It was an attempt to secure efficiency of administration by personal selection. And though the evil which would accompany a change made in such a way was likely to outweigh the good which it brought, it is undeniable that from this time the King was better and more economically served than he had ever been before. At Michaelmas, 1617, it was thought a great thing that there was likely to be a balance between the ordinary revenue and the ordinary expenditure. At Michaelmas, 1618, the new Commissioners of the Treasury looked forward to a surplus of 45,000*l.* to meet unforeseen expenses. Meanwhile, the Household, the Treasury, the Wardrobe, and the Admiralty had been subjected to sweeping and beneficial reforms. Everywhere retrenchment had been carried out under the influence and with the co-operation of Buckingham. It is no wonder that the King learned to place implicit confidence in his youthful favourite, and to fancy that he had at last discovered that of which he had been in search during the whole of his life—the art of being well served without taking any trouble about the matter himself.

When, therefore, those who were jealous of Buckingham's sudden rise remonstrated against the almost royal power which had been placed in his hands, they only wasted their words. It had been expected that upon his promotion to the Admiralty he would at least have

resigned the Mastership of the Horse, and some of those who had calculated their chances of succeeding to the vacancy hinted pretty intelligibly to the King what their opinion was. James contented himself with composing some Latin couplets to the effect that, as in the classical mythology Neptune, who presided over the sea, was also celebrated for his horses, it was unreasonable to object to the continued supervision of the new Admiral over the royal stables.*

Lady Compton raised to the peerage.

On one point alone James consented to make some concession to the opinion of his courtiers. Buckingham himself, arrogant as he was, and ready to take offence at the slightest disrespect shown to himself, was still distinguished by the kindly and forgiving disposition which, at his first appearance at court, had won all hearts. But his greedy and unprincipled mother was altogether unbearable. It was perhaps at this time that the story sprung up that Gondomar had written home to say that he had more hope than ever of the conversion of England, since he found that there were more prayers and oblations offered to the mother than to the son.† In the preceding autumn she had been created Countess of Buckingham, on which occasion she had caused considerable amusement by her refusal to share her honours with the husband whom she despised. It is probable that her new dignity made her more offensive than ever, as James requested her to keep away from Court, and told her that her meddling with state affairs could only be injurious to the prospects of her son.‡

Star-Chamber proceedings

A few days before Nottingham's removal from office,§ James at last made up his mind to take proceedings in

* "Buckinghamus, Io! maris est præfectus, et idem
Qui dominatur equis, nunc dominatur aquis.
Atque inter Superos liquidas qui temperat undas
Neptunus, celeres et moderatur equos.
Ne jam displiceat cuiquam geminata potestas
Exemplum Superis cum placuisse vident."

Salvetti's *News-Letter*, Nov. $\frac{20}{30}$, 1618.

† Wilson in *Kennet*, ii. 728.

‡ Salvetti's *News-Letter*, Nov. $\frac{20}{30}$, 1618. Chamberlain to Carleton, Feb. 6, 1619. *S. P. Dom.* cv. 83.

§ Chamberlain to Carleton, Jan. 16, 1619. *S. P. Dom.* cv. 41.

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against Suffolk.

the Star-Chamber against the late Lord Treasurer. He had always been friendly to Suffolk, and he would gladly have spared him the pain of the exposure; but it was necessary, as he told those who pleaded in his behalf, to prove to the world that he had not taken the staff away without reason.* An information was accordingly filed against him, in which the Countess and Sir John Bingley were included. The trial dragged its slow length along, and it was not till October, 1619, that the case was ready for a hearing.

The case against him;

According to the charge brought against him, the Treasurer had paid away money without demanding proper accounts from those who received it; he had been careless or corrupt in allowing the King to be cheated in a bargain relating to the Yorkshire alum works; he had kept for some time in his own hands a sum which ought to have been paid immediately into the exchequer; and he had taken bribes for doing that which should have been done as a mere matter of duty.† The evidence before us is hardly sufficient to enable us to say how far these charges were brought home to him. He may have been wilfully corrupt; more probably he was only lax in his interpretation of official rules. But whatever may have been the extent of Suffolk's own guilt, there can be no doubt as to his wife's criminality. The counsel employed by her must have been hard put to it, before they allowed themselves to startle the ears of the judges with the trash which they imported into the defence. They actually urged on her behalf, that she could not have been guilty of extortion, as she had only taken bribes in her capacity of wife of the Earl of Suffolk, and not in her capacity of wife of the Lord Treasurer. After this incomprehensible argument, the lawyer to whom she had entrusted her cause proceeded to quote from the civil law a text to the effect that judges might, without impropriety, receive *xenia*, or free gifts. Bacon, taking up the word in the sense of new year's gifts, which it had gradually acquired, said,

and against Lady Suffolk.

* E. H. [*i.e.* Elizabeth Howard, Lady Howard of Walden] to the King. *Cabala*, 234.

† The fullest account of the trial is in Cæsar's notes. *Add. MSS.* 12,497, fol. 69—74, 77—92. Compare the Answer of the Earl of Suffolk, and the State of the proceedings. *S. P. Dom.* cxi. 17, 18.

with a smile, that new year's gifts could not be given all the year round. Unfortunate as the lawyers had been in their general argument, they were still more unlucky in their attempts to rebut particular charges. One of the strongest pieces of evidence against the defendants was a direct statement made by Lord Ridgway, that, during the time that he had been Vice-Treasurer of Ireland, he had never been able to obtain the money needed for the public service unless his demand was accompanied by a bribe to Suffolk. Suffolk denied having ever received anything from Ridgway, except a gold cup which had been sent him as a new year's gift; and the probability is that the money had found its way into the pockets of the Countess, as her counsel could find nothing better to say on her behalf, than that Lord Ridgway was a noble gentleman, who might say or swear what he pleased. Bacon, who looked with special horror upon any attempt to intercept the supplies needed in Ireland, and who was of opinion, as he expressed it, that "he that did draw or milk treasure from Ireland, did not milk money, but blood,"* thought that the farce had gone on long enough, and stopped the speaker by telling him that it was at all events not the part of a nobleman to tell lies.†

The sentence.

As soon as the pleadings came to an end, the Court proceeded to judgment. Coke, who never knew what moderation was, voted for a fine of 100,000*l.* on the Earl, and of 5,000*l.* on Bingley. Against such an outrageous sentence, the milder Hobart raised his protest, and succeeded in carrying with him the majority of the Court. The fines actually imposed were 30,000*l.* on Suffolk, and 2,000*l.* on Bingley. All the three defendants were also sentenced to imprisonment during the King's pleasure.

Its gradual relaxation.

Neither Suffolk nor his Countess remained long in the Tower; after ten days' imprisonment, they were both set at liberty.‡ They at once applied to Buckingham for his good word with the King for the remission of their fine, and Buckingham, who was never backward in lending a helping hand to a fallen enemy, if he found him ready to

* Bacon to Buckingham, Oct. 27, 1619. *Works*, ed. Montagu, xii. 374.
† Locke to Carleton, Nov. 6, 1619. *S. P. Dom.* cxi. 8.
‡ Naunton to Carleton, Dec. 3, 1619. *S. P. Holland.*

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acknowledge his supremacy, promised to assist him. The application would probably have been immediately successful if the over-cautious Earl had been willing to trust to it entirely. When, however, the officials of the Exchequer went to his magnificent mansion at Audley End, which according to the exaggeration of popular rumour had been built with Spanish gold, they were told, in answer to their inquiries for property from which to raise the fine, that the house had been stripped of its furniture, and that the estate itself had been conveyed away to trustees. Indignant at the trick, James threatened Suffolk with a fresh prosecution, and ordered him to require his sons to resign their places at Court.* It was only after repeated supplications for forgiveness that James relented and agreed to remit his fine, with the exception of 7,000*l.* which he wanted in order to enable him to pay Lord Haddington's debts. †

Bribery at Court.

If Buckingham had raised himself in James's favour by the reforms to which he had lent his countenance, he had gained no credit with the nation. For it was well enough known that Suffolk and Lake differed from other officials mainly in having been found out. A blow had indeed been struck at the peculation which directly menaced the economy and regularity of the service of the Crown, and there would probably be more care taken in future to avoid doing anything by which the King's interest might be affected. But nothing had been done to reach the root of the evil; no attempt had been made to distinguish between lawful and unlawful payments. As long as Buckingham occupied the position which he did, any such step was absolutely impossible. It was not exactly that offices were set up for sale to the highest bidder; whenever a vacancy occurred in a post of any importance, an attempt was almost invariably made to select, if not the fittest person amongst the candidates, at least the person who appeared

* Goring to Buckingham, Nov. 16, Dec. 13, 1619. *Harl. MSS.* 1580, fol. 411. Suffolk to the King. *Cabala*, 334. Edmondes to Carleton, Jan. 25, 1620. *S. P. Dom.* cxii. 35.

† Chamberlain to Carleton, July 27. Woodford to Nethercole, Aug. 3, 1620. *S. P. Dom.* cxvi. 48, 59. It appears from the receipt books of the Exchequer that only 1,397*l.* was raised upon Suffolk's lands, whilst 2,000*l.* was paid out to Haddington. Docquet, Sept. 21, 1620. *S. P. Dom.* The remainder of the transaction may have been managed privately.

to James and his favourite to be the fittest. It not unfrequently happened that a rich man who offered a large bribe was rejected, and a poor man who offered a small bribe, or no bribe at all, was chosen. It was thus that Bennett's attempt to seat himself in Chancery as Ellesmere's successor,* and Ley's attempt to become Attorney-General after Bacon's promotion, had failed.† Upon Winwood's death, Lord Houghton had offered 10,000*l.* for the Secretaryship, and Houghton was the one amongst the candidates who had no chance whatever.‡ Of mean, grasping avarice, Buckingham never showed a trace; but he allowed it to be understood, that whoever expected promotion on any grounds must give him something for his trouble in recommending him. Nor did the mischief end here; around the great man grew up a swarm of parasites, who, like Endymion Porter, amassed wealth as brokers of their patron's favours. That all things were venal at the Court of James, was soon accepted as a truism from the Land's End to the Cheviots.

Favouritism.

Nor was this the worst. To pay a sum of money to a favourite for his patronage, is a degradation to which no man of sensitive conscience will stoop; still men of worth and ability might have been found to submit to the imposition, if they could have preserved their independence after they had once been raised to power. That which more than anything else drove the talent of the rising generation into opposition, was the persuasion that no man who served the Crown, could ever be anything more than a tool of Buckingham. He must not merely be prepared to conform at any moment to the sudden caprices of the youthful upstart; he must publish his subservience to the world, and must appear in public with the gilded badge of slavery upon him. By such a system as this, James might perhaps find himself served by excellent clerks, but he would have no statesmen to consult.

Example of Cranfield.

No better example can be found of the dangers to which a courtier's life was exposed, than that which was furnished by the experience of Cranfield. With the ex-

* Gerard to Carleton, March 20, 1617. *S. P. Dom.* xc. 135.
† Whitelocke. *Liber Famelicus*, 56.
‡ Sherburn to Carleton, Nov. 7, 1617. *S. P. Dom.* xciv. 11.

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ception of Bacon, no man in England had rendered greater services to the Crown. Nor had those services been forgotten. In September, 1618, he had been appointed Master of the Wardrobe; in the January following, he was chosen to succeed Wallingford, as Master of the Wards.* Next month his name appeared first among the Commissioners of the Navy.† He was looking forward to a seat in the Privy Council, and no one could deny that his promotion would be conducive to the interests of the King. On the 24th of April, he was in full expectation of being summoned on the following day to take his seat at the Board. The summons did not arrive. Suddenly a cloud had come over his prospects, which nothing but an act of baseness could remove.

As usual, Buckingham's mother was at the bottom of the mischief. The success which had attended her attempt to procure a wife for Sir John Villiers had not been lost upon the veteran schemer. What was the use of having a son in high favour at Court, if he could not find a rich husband for all the portionless young girls amongst his relations? There were men enough coming to him every day to ask for promotion. Let them be told that it was an indispensable qualification for office to marry a kinswoman of the House of Villiers.

His marriage.

To this comfortable family arrangement, James made no difficulty in lending his name, and Cranfield was selected as the man upon whom the experiment was first to be tried. He was now a widower, and with his abilities, and with the favour of Buckingham, he was sure of promotion, and of sufficient wealth to make him a desirable husband. It was therefore intimated to him, that if he expected any further advancement, he must marry Lady Buckingham's cousin, Anne Brett, whose fortune consisted in her handsome face and her high kindred.‡ There was,

* Appointment of Cranfield, Jan. 15, 1619. *Patent Rolls*, 16 Jac. I., Part 21.

† Commission to Cranfield and others, Feb. 12, 1619. *Patent Rolls*, 16 Jac. I., Part 3.

‡ "Cranfield's favour at Court is now almost as little as before it was great, and will hardly come from this low ebb to a high flood, until he will be contented to marry a handsome young waiting woman, who hath little money but good friends." Brent to Carleton, May 29, 1619. *S. P. Dom.* cix. 59.

however, an obstacle in the way; Cranfield had been paying his addresses to Lady Howard of Effingham, the widow of Nottingham's eldest son.* The lady cannot have been young, but she would have been a splendid match for the city merchant; and whether it was love or ambition which tempted him, Cranfield was loth to take a wife at another man's bidding. For some months he struggled hard for freedom; but at last he gave way, and before the end of the year it was known that he had become a member of the Privy Council, and the accepted lover of Anne Brett.†

Sale of honours.

Bad as this system was, yet, as far as the higher offices were concerned, it was not without a check. It would not do to entrust the Exchequer to men who were ignorant of the rudiments of finance, or to place upon the Bench a lawyer who had never held a brief. But there was no limit, excepting that of good feeling and propriety, imposed upon the creation of titles of honour. Everybody with a certain amount of money thought himself good enough to be a baron or an earl; and James, forgetting that, by flooding a hereditary house with new creations, he would make two enemies for every friend that he gained, fancied that the more barons and earls he created, the greater would be his influence in the House of Lords. At all events, he would find in the purses of these ambitious men the means of replenishing his own, or of rewarding the needy courtiers who complained that since the fashion of economy had been set, he had nothing left to give away. Just as, after Salisbury's attempt to introduce order into the finances, courtiers had asked for a recusant to squeeze, instead of petitioning for a grant of lands or of money, so now that the negotiations for the Spanish marriage had made it more necessary to be careful of the feelings of the Catholics, the demand for a recusant was superseded by the demand for a baron.‡

* Chamberlain to Carleton, Feb. 6, 1619. *S. P. Dom.* cv. 83. Buckingham may, perhaps, have looked upon a marriage with the widow of a Howard as a defection from his standard.

† Nethersole to Carleton, Feb. 6, 1619. *S. P. Dom.* cxii. 20. For some reason or other, the marriage did not take place till the 11th of Jan. 1621.

‡ It may be as well to point out in this place that a mistake is often made by otherwise well-informed writers in the inference which they draw from the fact that a baronet has had his creation money returned to him. An author sometimes has, or thinks he has, ground for supposing that some

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1619. The person whose request was granted immediately looked about for some one who was ready to pay him the sum which he chose to ask. As a matter of course, unless he had been singularly unfortunate in his selection, the nomination was accepted, and a new member was added to the peerage.

1618. The four Earls. A good example of the way in which James disposed of the highest honours, may be found in the creation of four new earls in the summer of 1618. Lord Lisle, the brother of Sir Philip Sydney, became Earl of Leicester, and his appointment was attributed not so much to his late services as commander of the garrisons of the cautionary towns, as to the recommendation of the Queen, whose chamberlain he was. Lord Compton, the brother of Lady Buckingham's husband, appears to have bought his promotion to the Earldom of Northampton from the King or from the favourite. About the motives which led to the elevation of the other two there is no mystery whatever. The King wanted money with which to defray the expenses of his annual progress, and he preferred the sale of two peerages to the loss of his hunting. For 10,000*l.* apiece Lord Cavendish and Lord Rich exchanged their baronies for the Earldoms of Devonshire and Warwick. So little shame did James feel about the matter, that he actually allowed the greater part of the price to be entered in the receipt books of the Exchequer.*

There was something peculiarly disgraceful in the pro-

person was engaged in a Court intrigue. He knows that he became a baronet about the time, and finds in the Exchequer books that his money was repaid. This is enough. The man, it is taken for granted, must have been in unusually high favour, and his connection with the intrigue in question is then almost taken for granted. A little further examination would however, show the evidence to be worthless. In the latter years of James every baronet received back his money. Whether it remained in his pocket, or was privately transferred to that of some courtier, is more than I or anybody else can say.

* Receipt books, Aug. 8, 1618, June 29, 1619. Salvetti (*News-Letter*, $\frac{\text{July 23}}{\text{Aug. 2}}$, 1618,) says that Devonshire and Warwick each paid 10,000*l.* The receipt books only give 8000*l.* as paid by Warwick, and 10,000*l.* by Devonshire. It is more likely that the remaining 2000*l.* was paid privately than that any difference was made in the price of the two earldoms. Salvetti adds, that Northampton's creation was at Buckingham's request. According to Contarini the King got 150,000 crowns from the three. I have endeavoured to reconcile the difference, by suggesting the possibility that Northampton's money stuck in Buckingham's pocket.

motion of Rich. If there was one thing upon which James prided himself, it was his hatred of piracy. At the very moment at which the new earl's patent was being sealed, the King was planning an attack upon Algiers, and was preparing to bring Raleigh to the scaffold. Yet Rich had done coolly and deliberately things infinitely worse than anything which had been perpetrated by Raleigh under the strongest possible temptation. With him piracy had degenerated into a mere commercial speculation. In 1616, he had fitted out two vessels under the flag of the Duke of Savoy, and had sent them to the West Indies, from whence, after a cruise of eighteen months, they had returned laden with Spanish treasures.* Nor was his son, the inheritor of his title, and the future Lord High Admiral of the Commonwealth, any better. In conjunction with a Genoese merchant, residing in London, he despatched two piratical vessels to the East. Their first act was to attack a rich junk belonging to the mother of the Great Mogul. If it had not been for the fortunate interposition of the fleet of the East India Company, which came up before the contest was decided, the result of Rich's selfish enterprise would have been the closing of the busiest marts in India to English commerce.†

Rich's speculations in piracy.

Soon after his return from the progress of which the expenses had been paid by the sale of these peerages, an opportunity was afforded to James of considering how far his system of government was likely to secure popularity. Besides the offices which were directly at his disposal, there were a large number of appointments which were filled by election. Of all such elections, there were few which would serve as a test of national feeling better than those in which the merchant princes of the city took part.

The Recordership of the City.

* Contarini to the Doge, May $\frac{21}{31}$, 1618. *Venice MSS.* Desp. Ingh. Stith in his *History of Virginia*, i. 531, seems to refer to the same voyage, though there is a confusion in his narrative between the two Earls of Warwick.

† Pring to the Company, Nov. 12. Monox to the Company, Dec. 28, 1617. E. I. C. *Orig. Corr.* Court Minutes of the E. I. C., Feb. 24, 1618. Chamberlain to Carleton, Jan. 2. Smith to Carleton, Jan. 7. Wynn to Carleton, Jan. 28, 1619. *S. P. Dom.* cv. 2, 3, 67. Salvetti's *News-Letter*, March $\frac{11}{21}$, 1619.

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Candidatures of Whitelocke and Shute.

The Recordership of London was in the gift of the Lord Mayor and Aldermen. But of late years it had almost invariably been bestowed at the recommendation of the King. Such, however, was the growing unpopularity of the Court, that upon the occurrence of a vacancy, some of the aldermen formed the design of vindicating the freedom of election by choosing a candidate of their own. They fixed upon Whitelocke, whose services rendered in the debates on the impositions in 1610 and 1614, would be likely to conciliate in his favour the greater number of the electors.

Whitelocke's success would have done no great harm to the Government. But James had not forgotten the reluctance of the city magistrates to punish the rioters who had assaulted the house of the Spanish Ambassador; and he had made it a point of honour that no one who had not secured the good word of Buckingham, should carry the election. Buckingham had already declared in favour of Shute, one of the least reputable of his followers. No time was lost. The late Recorder, Sir

The King's interference.

Anthony Ben, had died on a Saturday, and on Sunday morning the citizens who attended the service at St. Paul's, saw the Chief Justice of England busily engaged with unseemly haste in canvassing the Aldermen before they had time to leave the church. On Monday Shute presented himself before the electors, with a letter from James. He was told that when the last Recorder was chosen, the King had promised to write no more such letters; and that he must not forget that, having formerly been outlawed, he was himself disqualified from holding the post. Mortified at the rebuff, he hurried back to Court, threatening the city with the vengeance of his royal patron.

Remonstrance of the aldermen.

James, as soon as he heard of the reception which his candidate had met with, sent for Bacon, and asked him how he came to support Buckingham's recommendation of such a man? Bacon, seldom in haste to spy out defects in any follower of Buckingham, replied that what had occurred was merely the result of factious opposition. As soon as he had left the King, he sent for some of the aldermen, and asked them what objection they could pos-

sibly have to Shute? To his astonishment, they replied that he had no right to ask any question of the kind. If his Majesty wished to interrogate them, they were ready to answer; but they declined to reply to any one else. They accordingly chose a deputation to lay their objections before the King.

As soon as the aldermen were admitted, Buckingham, who was standing by, tried to pass the matter off. It was a pity, he said, to be hard upon a man because he had committed a fault in his youth. "Not at all," was the reply; "he has been outlawed no less than fifteen times." There was no answering this, and Buckingham was silenced for a moment. But he quickly recovered himself, and whispered a few words in the King's ear. When this bye-play was at an end, James turned to the Aldermen and told them that he did not wish to break their privileges, but that he should consider it a personal favour if they would pay some attention to his recommendation. If they really objected to Shute, they could say nothing against Robert Heath, who was an honest man and a sound lawyer.

Heath becomes the Court candidate.

Heath was indeed no less dependent upon Buckingham than Shute; and of all the lawyers of the day there was none in whose constitutional theories a larger place was assigned to the prerogative. But there was nothing to be said against his moral character, and it was therefore no longer possible to raise any personal objection to the King's nominee. The question was reduced to a simple issue. By choosing Whitelocke, the electors would be protesting against what was practically a violation of the freedom of election. By choosing Heath, they would maintain that good understanding with the Government which was in many respects so essential to their interest. Again and again the aldermen attempted to escape from the dilemma. They begged the King to allow them that liberty of choice to which they were entitled by their charter. Every plea was met by the answer, that no compulsion would be used, but that the King expected them to vote for Heath.

The election.

As soon as Whitelocke was informed how strongly the King objected to his election, he declared his intention

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Such a victory was equivalent to a defeat. If James had been capable of taking warning, he would have seen that so slender a majority obtained by such means indicated a state of feeling into the causes of which he would do well to inquire.

1617. Danger of moral anarchy. Yet, great as was the influence exercised upon society by James's personal conduct, the real causes of the evil lay far deeper than the surface. It was not merely the political institutions of the sixteenth century which had ceased to be in accordance with the requirements of the nation. Even the moral and religious watchwords of the days of Elizabeth had grown antiquated. England was in a position not very dissimilar from that in which an army finds itself after peace has been made. As long as the soldier is in the field, even the most reckless is kept true to his colours by the excitement of the contest. It is when the war is at an end that the difficulty of maintaining discipline is felt. The perpetual round of seemingly purposeless duties and the listlessness of inaction break down the barriers which were strong enough to keep off temptation in the presence of the enemy. A call arises for even nobler qualities and more enduring virtues than those by which the soldier is restrained from disgracing himself amidst the clash of arms.

The first to feel the effect of the change were the courtiers and politicians. The independence of England had been

* Whitelocke. *Liber Famelicus*, 63.

won. The idea for which Burghley and Walsingham had contended through good repute and evil repute had been realised. The councillors of James had no need to be anxiously taking precautions against invasion. Their sleep was never disturbed by dreams of the Spanish fleet at Cadiz, or the Spanish army in Flanders. With security had come corruption. Men, who were living without a purpose, and whose activity was limited to the regular fulfilment of the ordinary routine of duty, soon found the vacancy in their minds filled up by the consideration of their own personal interests. The policy of war was at an end. The policy of peace had, thanks to James, never come into existence. The absence of political enthusiasm was only equalled by the absence of religious enthusiasm. Protestantism was never thought of by them as a rule of life. It was a mere state contrivance, to be supported and encouraged for political reasons, or, at the most, a standard round which they might gather to fling defiance at their enemies. The one truth which admitted of no doubt whatever was that money was worth having.*

The courtiers and politicians.

Among such men as these, the missionaries of Rome found their converts most easily. That great Church which had once led the van in the progress of the world, —which had lit the lamp of self-denial in the midst of bloodshed and riot, had educed order out of anarchy, and had given hope to those who had no hope in this world or the next,—was now, as far as England was concerned, little better than a hospital for the wounded in the spiritual and moral conflict which was still, as ever, being waged. It could point to the difficulties and dangers of the way, and could lure to its arms those who were frightened at the errors and mistakes of the combatants. It could proscribe thought, and substitute belief in a system for faith. It could give rest, but it could not give victory.

Converts to Rome.

It is no wonder that the better minds in England

Protestantism in England.

* "Vede [sua Maestà] li principali Signori dai quali è continuamente cinto, pronti con l'assistenza corporale al rito della Maestà sua, ma con el pensiero interiore divisi in molte opinioni, non soddisfatti di se medesimi, mal contenti della volontà di chi comanda, poco uniti con Dio, ed interessati nel proprio comodo, il quale solo pare che come idolo adorino." Relazione di M. A. Correr, 1611. *Relazioni Venete*, Inghilterra, 114.

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turned fiercely upon those who would have dragged them back into the past, and that with unwise mistrust of themselves they sought to bar out the evil which they dreaded with penal and restrictive legislation. Yet, in reality, it was with English Protestantism, as with the prince in the Arabian tale, who could only obtain the object of his desires by pressing forwards up the hill, whilst he was turned into stone if he looked round for a moment to combat the mocking voices which pealed in his ears from behind. If it had not been for James's foolish encouragement to Spanish intrigue, there would have been less harshness towards the Catholics displayed, and less bitter intolerance cherished, than was possible as matters stood. Yet, even as it was, there was a great change for the better. The old Puritanism which had busied itself with caps and surplices, and with energetic protests against everything which bore the slightest resemblance to the practices of the Roman Church, was gradually dropping out of sight, and a movement was taking place which careless and prejudiced writers have attributed to the strictness of James and Bancroft, but which is in reality derived from a far higher source. The fact was, that thoughtful Englishmen were less occupied in combating Spain and the Pope, and more occupied in combating immorality and sin than they had been in the days of Elizabeth.

Systems in politics and theology.

There was one great danger to which the men of this day were exposed. They were under a strong temptation to put their trust in systems. Systems of theology, systems of law, systems of politics, would each, from time to time, seem to be the one thing needful. As far as they were builders of systems, indeed, the men of the seventeenth century failed. The Government of England has not shaped itself in accordance with the theories of Bacon or of Vane. The Church of England has not become what it would have been under the guidance of Laud or of Baxter. Yet it would be wrong to pour upon these systems the contempt with which they sometimes meet. They were raised unconsciously as barriers against the flood of immorality which was setting in; against unscrupulous falsehood, such as that of Raleigh; against

thoughtless vanity, such as that of Buckingham; against mean wickedness, such as that of Lady Roos. There was that in them which would live—the belief in the paramount claims of duty; the faith in a Divine order in political, in social, and in domestic life,which has stamped itself indelibly on the English mind. It is this which has never been effaced even in the worst of times, and which shines forth with strange vitality whenever the heart of the nation recovers its ancient vigour.

Sooner or later, no doubt, the time arrives when such systems must be cast away at any cost. When it is discovered that they exclude as much as they include; when they cease to strengthen the life, and become nothing better than fetters to the mind, their day is past. But until that secret is learnt, they are the safeguards against anarchy. They form the barriers against which self-will and self-confidence dash themselves in vain. They are less than truth, but they are more than passion. In the years that were coming, England would learn surely enough what their tyranny was. But she had also to learn that it is by enlarging them, not by casting them aside, that progress alone is possible.*

The Puritan conformists.

Happily for England, the life and vigour of the Elizabethan age had not been thrown away. The fear that the children of the generation which had watched with Burghley and fought with Drake would crouch under the leaden yoke of the Jesuits, was a mere chimera. That there would be a reaction against the indefinite aims and the moral weaknesses of the past was certain. But in whatever form it came, it would be sure, in the very midst of the order which it established, to leave wide room for the freedom of the individual mind.

* "Such views," writes Professor Max Müller on a very different subject, "may be right or wrong. Too hasty comparisons, or too narrow distinctions, may have prevented the eye of the observer from discovering the broad outline of nature's plan. Yet every system, however insufficient it may prove hereafter, is a step in advance. If the mind of man is once impressed with the conviction that there must be order and law everywhere, it never rests again until all that seems irregular has been eliminated, until the full beauty and harmony of nature has been perceived, and the eye of man has caught the eye of God beaming out from the midst of His works. The failures of the past prepare the triumphs of the future." *Lectures on the Science of Language*, 16.

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Already it seemed as if Puritanism was fitting itself for its high mission. It was outgrowing the stern limits within which it had wasted its energies in earlier times. A generation was arising of Puritan conformists,* who cared little for the battle against the surplice of the minister and the ring of the bride, which had seemed all-important to their fathers. They were not anxious to see the now customary forms of the Church of England give way to those of Scotland or Geneva. But what they lost in logic they gained in breadth. They desired that under the teaching of the Bible, interpreted as it was to them through the medium of the Calvinistic theology, every Englishman should devote himself to the fulfilment of those duties in which they saw the worthy preparation for the life to come. They preached self-restraint, not in the spirit of the mediæval ascetic, because they despised the world, but because they looked upon the world as the kingdom of God, in which, as far as in them lay, they would do their Master's will. In the ideal England which rose before their eyes, the riotous festivities of Whitehall, and the drunken revelries of the village alehouse, were to be alike unknown. Soberness, temperance, and chastity, were to be the results of a reverent submission to the commands of God.

It was by its demand for a purer morality that Puritanism retained its hold upon the laity. There was springing up amongst men a consciousness that there was work to be done in England very different from that in which their fathers had been engaged. They saw around them the mass of men living a life of practical heathenism, regardless of anything beyond their immediate wants; and they sought to rouse the idle and the profligate

* The phrase "Doctrinal Puritans" is generally used for these men in ecclesiastical histories; but it has the great demerit of expressing the point of agreement with other Puritans, rather than the point of difference. Indeed, the name Puritan itself is a constant source of trouble to the historian. It sometimes means men who objected to certain ceremonies, who were non-conformists, or who would have been so if they could. Sometimes it includes all who held to the Calvinist theology. It is even used of those who were opposed to the Court. Thus Doncaster, of all men in the world, is sometimes called a Puritan, and, in the same way, Prince Charles is said by Valaresso in 1624 to be "troppo Puritano," a phrase which it is difficult to read without a smile.

by evoking in their hearts a sense of personal responsibility to their Maker. For it was in this proclamation of the closeness of the connection between the individual soul and its God that the strength of Puritanism was to be found. It was this that sent forth those armies of Christian warriors who were already silently working their way beneath the surface of that society, in the high places of which James and Buckingham were playing their pranks in the sight of an astonished world. But the loftiness of the standard which they had set before them was not without its own peculiar dangers. They were not seldom narrow-minded and egotistical. In their hatred of vice, they were apt to become intolerant of pleasure, and to look down with contempt upon those who disregarded the barriers which they had erected for the preservation of their own virtue. If ever they succeeded in achieving political power, they would find it hard to avoid using it for the purpose of coercing the world into morality.

School of Andrewes and Laud.

The same tide which had swept the Puritans into conformity, was carrying on the original conformists to a further development of their creed. What Baxter was to Cartwright, that Andrewes and Laud were to Hooker. That which may be termed the right wing of the body which had accepted the Elizabethan compromise, was becoming more distinctive in its doctrines, and more systematic in its thought. It was no longer sufficient to defend the rites of the Church of England upon grounds of expediency, or to magnify the duty of obedience to the civil power. They must be declared to be good in themselves, and, as such, entitled to the submission of all honest Christians. The leading idea round which these men gathered, was antagonism to the purely individual religion of the Genevan doctor. They had faith in a Divine operation upon men's souls addressing them from without, in a work of God running through past ages, acting upon the conscience by means of ecclesiastical organization, and making use of the senses and imagination to reach the heart. Such a system had its charm for many minds, and was readily adopted by the most promising students at the Universities. It found its

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support in the increasing study of patristic theology, and in those portions of the liturgy and ritual of the English Church which had been retained, with more or less alteration, from the practices of the times which preceded the Reformation. Relinquishing the attempt to raise by a sudden impulse the vain and frivolous to a standard which it was impossible for them, excepting under extraordinary circumstances, to reach at a bound, it aimed at sapping the evil, by the formation of habits, and by surrounding the heart with the softening influences of external example. That the view of human nature upon which such a system was based was in many respects larger and truer than that from which the Puritan looked upon the world, it is impossible to deny. But it was exposed to especial danger from its shrinking from rash and violent remedies. Those who thought it impossible to tear up evil by the root, and who refused to include in one common denunciation the well-meaning man of the world with the hardened and abandoned sinner, might easily be led into a state of mind in which the boundary line between good and evil was almost obliterated; or, what was still worse, might grow blind to sin in high places where its denunciation might seem to be injurious to the cause which it had at heart. Nor was the danger less that, as the Puritan too often made an idol of the system by which his faith was supported, so these men might become idolators of the organization in which they trusted, and might succumb to the temptation of using political power for the purpose of forcing upon an unwilling population ecclesiastical arrangements which were foreign to their feelings and habits.

Services rendered by it.

So evil in fact were the consequences of the attainment of power by these men, that justice has seldom been done them excepting by those whose testimony has been invalidated by their narrow partizanship. And yet, it is impossible to doubt that, even independently of the worth of their opinions, they rendered incalculable services to England; for it was owing to them that few, excepting the weak in mind and character, fell into the meshes of the Jesuits. Their teaching satisfied the cravings of thousands whose imaginations were too warm,

and whose admiration for external ceremony and order was too high to rest content with the standard of Puritanism. Between the two sections of the Church of England compromise was possible; between Rome and Geneva it was impossible. What the state of England would have been if a large Roman Catholic minority had been opposed to a Puritan majority is, happily for us, only a matter of conjecture; but it is certain that all the bitterness of spirit, and the persecuting intolerance of the two great parties in our civil strife, would have been as nothing to the implacable hate with which such a struggle would have been conducted.

In truth, however little the controversialists of the day would have been willing to recognise the fact, each of the theological parties was but the complement of the other; each of them clinging to elements of truth which were ignored by the other. The cause of liberty and the cause of order owed much to both of them. The Puritan became the champion of moral liberty, by proclaiming that the spirit of each individual entered into direct communication with God without any intervention of human ordinances; whilst he found a principle of order in a closely reasoned system of theology, and in a strict observance of moral duties. His opponent opened wide the doors of intellectual liberty, was tolerant of diversity of opinion, and anxious to restrict within fixed limits his articles of faith; whilst he based his self-restraint upon external obedience to a settled order, and upon reverence for human authority as the representative of Divine law.

Contrast between Andrewes and Laud.

Already in the latter school a two-fold tendency was to be discerned. The mind of Andrewes was cast in a devotional and imaginative mould. Laud was above all things a lover of order; for asceticism or mysticism there was no room in his thoughts. But, as far as the intellect was concerned, he was more truly Protestant than any Puritan in England. His objection to the Church of Rome, and to the Church of Geneva, was not so much that their respective creeds were false, as that they both insisted upon the adoption of articles of faith which he believed to be disputable, or at least unneces-

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sary to be enforced. But the liberty which he claimed for men's minds, he denied to their actions. Here, at least, order must prevail. No interference could be too petty, no disregard of the feelings of others too great, for the sake of establishing uniformity of practice.

Laud Dean of Gloucester.

How dangerous authority might become in his hands had recently been shown. Towards the end of 1616, he had been appointed to the Deanery of Gloucester. The bishop of the see, Miles Smith, was well known as one of the most distinguished for Hebrew scholarship amongst the translators of the Bible; and he had owed his bishopric to the services which he had rendered in that capacity. But it was not long before James looked back upon the appointment with regret. Smith's theology was Calvinistic; and in his dislike of ceremonial observance, he shared the opinions of the extreme Puritans. Under his influence, the fabric of the cathedral was allowed to fall into decay, and the communion-table, which, in the majority of the cathedrals, had been placed at the East end of the chancel, had, at Gloucester, maintained its position in the middle of the choir.

Alteration in the position of the communion-table.

It is probable that Laud owed his promotion to the King's dislike of these irregularities. As he was setting out to visit his deanery, James sent for him, and told him that he expected him to set in order whatever he found amiss. The errand upon which he was thus sent was one after his own heart. He looked upon the question of the communion-table as one of vital importance. To his mind it was not so much the symbol of the presence of the invisible God, as it was the throne of the invisible King. But however strongly he might have felt, it would have been wise to set about his work with some consideration for the feelings of those who conscientiously differed from himself. The change which he proposed was certain to arouse opposition. It would have been worth while to have taken the congregation into his confidence, and, if he could not hope to persuade them to adopt his views, he might have deigned to give some explanation of what he was doing. If he could not bring himself to this, it would at least have been a graceful act to enter, if possible, into friendly communication

with the bishop, and to acquaint him with the commission which he had received from the King.

Nothing of this sort appears to have occurred to him for an instant.* On his arrival at Gloucester he went straight to the Chapter House, and laying before the canons the King's commands, persuaded them to give the necessary orders for the repair of the cathedral, and for the change in the position of the communion-table. As if this were not enough, he informed the cathedral officials that it was expected that they would bow towards the now elevated table, whenever they entered the church.

Opposition in Gloucester.

Of course all Gloucester was furious at this sudden blow. The bishop declared that he would never again enter the doors of the cathedral till the cause of the offence had been removed. The townsmen cried out loudly against the stranger who had come to set up popery in their midst. In the excitement of the moment, one of the bishop's chaplains wrote a letter, in which the members of the chapter were sharply taken to task for gross neglect of duty in shrinking from resistance to the dean's innovations. The letter quickly obtained publicity, and copies of it were passed about from hand to hand. For some time all efforts to stop the turmoil were unavailing. It was in vain that one of the aldermen was persuaded to summon before him as libellers those who had taken part in the circulation of the letter, and that threats were freely uttered that the chapter would appeal to the high commission for redress.

Meanwhile Laud, who had quietly gone back to Oxford as soon as he had done the mischief, was apprised of the commotion which he had left behind him. All that

* Laud might have profitably studied the writings of a man inferior to him in firmness and consistency, but far his superior in discretion. "As concerning the ringing of bells upon Allhallow Day at night," wrote Cranmer, "and covering of images in Lent, and creeping to the Cross, he" (*i. e.*, the Bishop of Worcester) "thought it necessary that a letter of your Majesty's pleasure therein should be sent by your Grace unto the two archbishops; and we to send the same to all other prelates within your Grace's realm. . . . Nevertheless, in my opinion, when such things be altered or taken away, there would be set forth some doctrine therewith which should declare the cause of the abolishing or alteration, for to satisfy the conscience of the people." Cranmer to Henry VIII., Jan. 24, 1546; *Remains*, i. 318.

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could be extracted from him by the news, was a cold dry letter to the bishop, calling upon him for assistance in repressing the turbulence of the Puritans, and threatening him in no obscure terms with the vengeance of the King.

By degrees the tumult subsided. The townsmen found that remonstrances were of no avail, and withdrew from a hopeless conflict. They did not know that with his high-handed disregard of the feelings and prejudices of his countrymen, Laud was preparing the way for the success of their cause. Many of those who had taken part in the outcry against the dean, would live to see the forces of Charles I. recoil in discomfiture from before the walls of Gloucester.*

The observance of the Sabbath.

Not less worthy of notice is another scene on which men's eyes were directed a few months after Laud's visit to Gloucester. It had become an article of belief amongst the Puritans, that the first day of the week was the true representative of the Jewish Sabbath, and as such was to be observed with complete abstention, not only from all work, but from every kind of amusement. Such a doctrine was peculiarly fitted to commend itself to their minds. It afforded them an opportunity for the practice of that self-restraint and self-denial which their creed demanded, and at the same time it presented itself to them under the semblance of a Divine command, which it would be sheer impiety to disobey. The doctrine was, perhaps, more readily accepted because it appealed to another side of the Puritan character. The observance was a duty lying upon Christians as individuals, not as members of a congregation, nor of any ecclesiastical body whatever. It demanded no co-operation with other men. However desirable it might be to go to church upon the Sabbath, the Puritan could do all that was necessary for the observance of the day without crossing his own threshold. The main thing lay in his own devotional thoughts, and in his careful abstinence from all merely secular labours and pleasures.

* Laud to Smith, Feb. 27 ; Laud to Neile, March 3, 1617. *Works*, vi. 239. Heylin's *Life of Laud*, 69, 75. Prynne's *Canterbury's Doom*, 76.

It was but too probable that such men would soon be brought into collision with their neighbours. To ordinary Englishmen, Sunday was a very different day from that which the Puritan wished it to become. From the privy councillor, who made a habit of attending the meeting of the council upon Sunday, to the villager who spent the afternoon in dancing upon the green, all England had been accustomed from time immemorial to consider that at the close of the service the religious duties of the day were at an end. It was natural, therefore, that the Puritans should find themselves greeted with a storm of obloquy. Ordinary men of the world joined with the profligate and the drunkard in the outcry against the sour fanatics, who were doing their best to impose intolerable burdens upon their neighbours.

Resistance to the Puritan opinions.

If the controversy had been left to itself, nothing but good could have come of it. The example of self-denial would have told in the end. Englishmen would not, indeed, have been unanimous in adopting the doctrine that the Christian festival was the direct representative of the Jewish Sabbath; but there would have been not a few who would have learned what to them was the new lesson, that man has higher objects in life than dancing round a May-pole, or carousing at a tavern; and they would, before long, have become thoroughly ashamed of the scenes by which a day thus set apart was too often desecrated.

Enforcement of the observance of the Sabbath in Lancashire.

But unfortunately the Puritans were unwilling to leave the controversy to itself. When James passed through Lancashire, on his return from Scotland, he found the subject forced upon his attention. Of all counties, Lancashire was the one in which such questions required the most delicate handling. A large part of the population, headed by some of the principal landowners, still clung to the Church of Rome. On the other hand, those who had adopted the Protestant opinions had imbibed them in their most extreme form. The preachers who had been sent down by Elizabeth, with a special mission to withdraw the people from the influence of the priests, had brought with them all those feelings and opinions

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which were most opposed to the doctrines of that Church which they were engaged in combating.

Appeal to the King.

Shortly before the King's arrival, an attempt had been made by some of the magistrates to suppress the usual Sunday amusements. The Catholic gentry were not slow in taking advantage of such an opportunity of gaining a little popularity. Putting themselves at the head of the angry villagers, they lost no time in denouncing the tyranny of a morose and gloomy fanaticism. The quarrel was becoming serious just as James was passing through the county. He listened to the complaints which were brought to him against the magistrates, gave a hasty decision in favour of the remonstrants, and went on his way, thinking no more about the matter.

He had not gone far before news was brought to him which obliged him to give more serious attention to the subject. Advantage had been taken of his hasty words. The country people who had been deprived of the archery and the dancing to which they had been accustomed, had given vent to their satisfaction at his decision in their favour, by doing their best to annoy those who had placed the restriction upon them. Instead of contenting themselves, as heretofore, with their afternoon amusements, they gathered in groups near the doors of the churches in the morning, and at the time when the service was commencing within, did their best to distract the attention of the worshippers, by the sharpest notes of their music, and by the loud shouts of laughter with which they took care to increase the din.

He applies for advice to Morton.

Upon the receipt of this intelligence, James applied for advice to the bishop of the diocese. He could not have appealed to a better man. Bishop Morton had, indeed, distinguished himself by the part which he had taken in the controversy against the Puritans; but it was a distinction which he had earned by a rare absence of acrimony, as much as by the arguments upon which he relied. He was no mere courtier like Neile. He had nothing of the domineering spirit of Laud. Almost alone amongst the controversialists of his day, he knew how to treat an adversary with respect. Above all, he was in the fullest sense of the word a good man. In

early life he had shown what stuff he was made of, by the unremitting persistence of his visits to the pesthouse, when the plague was raging at York. On these occasions he forbade his servants to follow him amidst the infection, and carried on the crupper of his own horse the food which was to solace the wants of the sufferers. What he was in his youth he continued to be till his death. Through a long and chequered career no poverty was borne so cheerfully, no wealth distributed so wisely and so bountifully, as that which fell to the lot of Thomas Morton.

Morton's opinion on the subject.

It was but natural that Morton should be far from sharing the opinions of the Puritans on the subject now brought before him. He and those who thought with him were sure to deny the Sabbatical character of the Lord's Day. Their reverence for Church authority led them to shrink from tracing its institution higher than to the earliest Christian times, and their whole tone of mind was such as made them lay stress rather upon the due attendance upon public worship, in which Christians met together as an organized congregation, than upon the restraints which they might place upon themselves during the remainder of the day. It was thus that when, not many years later, the poet whose verses are the mirror of the feelings and the sentiments of the school of divines to which Morton belonged, celebrated the joys and duties of the great Christian festival, it was in this key that all his thoughts were pitched.

> "Sundays observe: think when the bells do chime,
> 'Tis angels' music:"—

is the commencement of his exhortation. Through two whole pages he continues in a similar strain. Of behaviour out of church, he has not a single word to say.*

His advice.

With such views as these, Morton had little difficulty in perceiving what was best to be done. On the one hand, nothing should be permitted which might disturb the congregation during the hours of service. On the other hand, it must be left to every man's conscience to decide whether or no he would take part in the accus-

* Herbert's *Church Porch*.

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tomed amusements after the service was at an end. No compulsion was to be used. If the Puritans could persuade their neighbours that the practices in question were sinful, they were at perfect liberty to do so. But further than that they were not to be allowed to go.*

The declaration of sports published in Lancashire.

With the exception of a clause by which the benefit of the liberty accorded was refused to all who had absented themselves from the service—a clause by which it was intended to strike a blow at recusancy, but which in reality bribed men to worship God by the alluring prospect of a dance in the afternoon—there was little to object to the general scope of the declaration which James founded upon Morton's recommendations.† If he had contented himself with leaving it behind him for the use of the Lancashire magistrates, it is probable that little more would have been heard about the matter.

1618. Its extension to the rest of England.

But this would hardly have contented James. He had not been many months in London before he determined to publish, for the benefit of the whole kingdom, the declaration which had been called forth by the peculiar circumstances of Lancashire. In doing this, he hit upon a plan which was calculated to rouse the greatest possible amount of opposition. Instead of issuing a proclamation or directing the Council to send round a circular letter to the Justices of the Peace, warning them not to allow themselves to be carried away by religious zeal to exceed their legal powers, he transmitted orders to the clergy to read the declaration from the pulpit. No doubt, in those days, the clergy were regarded far more than they are at present in the light of ministers of the Crown. Still

* Barwick's *Life of Morton*, 80.

† Wilkins' *Concilia*, iv. 483. The most striking clause is the following:—"And as for our good people's lawful recreation, our pleasure likewise is that, after the end of Divine service, our good people be not disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women, archery for men, leaping, vaulting, or any other such harmless recreation, nor for having of May-games, Whitsun-ales and morris-dances, and the setting up of May-poles and other sports therewith used, so as the same be had in due and convenient time without impediment or neglect of Divine service, and that women shall have leave to carry rushes to church for the decoring of it, according to their old custom. But withal we do here account still as prohibited all unlawful games to be used on Sundays only, as bear and bull baitings, interludes and (at all times in the meaner sort of people by law prohibited) bowling."

James might have remembered that, by a large number amongst them, his declaration would be regarded as sheer impiety, and that there was that in their position which made it impossible to treat them as mere official dependents, bound to carry out, without a murmur, every order issued by superior authority.

Resistance of the clergy.

As might have been expected, symptoms of resistance showed themselves on every hand. Not a few amongst the Puritan clergy, amongst whom, it is said, was the Archbishop of Canterbury himself,* made up their minds to refuse compliance at any cost; and even, of those who consented to obey, there were some who determined to preach against the very declaration which they did not refuse to read, and a still greater number were sure to declaim in their private conversation against the principles of the document which, as a matter of public duty, they had brought before the notice of their congregations. James quailed before the tumult which he had evoked, and withdrew his order for the reading of the declaration.†

Prospects of the Church of England.

It was of good augury for the Church of England that during the first ten or twelve years of Abbot's primacy the ecclesiastical history of the country was almost totally barren of events. The proceedings of Laud at Gloucester, and of the Puritan magistrates in Lancashire, were sufficient to indicate the quarter from which danger might arise, but the very rareness of such occurrences gave reason to suppose that the terrible evils of an internecine quarrel between the two great Church parties might yet be averted. For the first time since the early days of the Reformation the Nonconformists were reduced to insignificance. There were no longer any voices raised loud enough to make themselves heard in favour of a change in the ritual of the Church. There were, for the first time, two parties opposed indeed in theology and in practice, but both declaring themselves to be ready to take their stand upon the Book of Common Prayer. What was of still more importance, there was no strong line of demarcation between them. Each party shaded off into the other. Amongst the laity especially, there

* Wilson in *Kennet*, ii. 709.
† Fuller's *Church History*, v. 452.

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was a large and increasing body which took no part with the fanatics on either side, but which was growing in piety and in moral progress under the influence of both. In their zeal for religion, these men had no intention of placing England under the yoke of a few clerical firebrands of any shade of opinion whatever.

John Selden.

If there had been any doubt as to the direction in which the current of public opinion was setting, it would have been cleared up by the reception which was accorded to the "History of Tithes," a book which was published at the time when James was considering the propriety of giving a general circulation to the Declaration of Sports. The author of this book, which was distinguished by its thorough opposition to all ecclesiastical claims to civil authority, was John Selden, a lawyer of the Inner Temple, who, at the early age of thirty-four, had established a reputation of being the most learned man of the day. To a knowledge of the constitution and antiquities of his country, which even Coke could not venture to despise, he added a marvellous familiarity with the most recondite studies. He was as completely at home in the writings of the Jewish Rabbis and the capitularies of Charlemagne as he was in the works of the Fathers of the Church, or the classical masterpieces of Greece and Rome. The very names of the books which he had already published testified to the multifariousness of his knowledge. He had written on the early laws of England, on duels, on titles of honour, and on the religion of the ancient Syrians. But of these various subjects there was none so thoroughly to his taste as that which he had now taken in hand. Of all men living, there was no one so completely imbued with the spirit which had animated the political leaders of the English Reformation. The supremacy of the civil power over all ecclesiastical causes, and all ecclesiastical persons, was the cardinal point of his doctrine; and yet that supremacy was to him something very different from what it had been to Henry VIII. and Elizabeth. They had wished the State to be supreme, in order that they might enforce their own compromise upon opposing and irreconcileable parties. Selden knew that times were changed, and that the parties into which the Church

of England was in his day divided were no longer irreconcileable. He, therefore, wished to see the Royal Supremacy put forth with vigour, in order that it might allow liberty to all, whilst it kept in check every attempt at persecution from whatever quarter it might arise.

His "History of Tithes."

The form into which he threw his work was a curious one. He professed, with a modesty which deceived no one, that the question whether or not tithes were due by Divine right was above his comprehension. He left such high matters to churchmen and canonists. As for himself, he was a mere student of the common law, and he could not venture to express an opinion on questions so far above his sphere. All he wished to do was to state what the practice had actually been, not what it ought to have been. In spite of this modest commencement, he showed pretty well what his opinion was. He argued that there was no proof whatever that tithes had ever been claimed as of right during the first four hundred years of the Christian era; and in treating of their subsequent history, he showed that the practice had been so various, and that it had been so completely subjected to local customs, and to the laws of the various European nations, that the payment had in reality been accepted at the hands of the State with whatever limitations the civil authorities had chosen to impose.

Tendency of the book.

It is evident that such a book was of greater importance than its actual subject would indicate. It struck at all claims on the part of the clergy to fix limits to the power of the Legislature. It seemed to say to them:—"We, the laity of England, will not limit our powers at your demand. If you can persuade us that such and such things are in accordance with the will of God, you are at liberty to do so. As soon as we admit the force of your reasoning, we shall be ready to give effect to your arguments. If you claim a Divine right to money or obedience, irrespective of the laws of England, you must obtain what you ask from the voluntary consent of those from whom you require it. If you wish to have the assistance of pursuivants and judicial processes, you must acknowledge that whatever you get by these means

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proceeds from that authority by which such rough methods of compulsion are put in force."

Its reception by the clergy.

Such a book as this was sure to be received by the clergy with a storm of indignation. They had never once doubted the Divine right which Selden had so quietly ignored; and they may well be excused if they saw in it the guarantee, not only of their own incomes, but of the very existence of the Church of England. They had good reason to put little faith in the tender mercies of statesmen. They remembered but too well how Raleigh had become possessed of the manor of Sherborne, and how Hatton House had been lost to the see of Ely. It was no wonder, then, that James was besieged with supplications to come to the rescue of the Church. He does not seem, at first, to have taken any very great interest in the matter. After all, it was not his prerogative that was attacked. The book was published in April. It was not till December that the author was summoned before the King. Nor was there anything alarming in the interview itself. James had something to talk about far more interesting than the Divine Right of Tithes. He wanted to hear Selden's opinion on the number of the Beast in the Revelations; and he was afraid, lest a passage in the book might be understood to countenance the opinion that the nativity of Christ did not occur upon the 25th of December, an opinion which might be used with terrible effect by those who held that Christmas Day ought not to be observed at all. Selden promised to satisfy him on both these points, and went away well pleased with the impression which he had made.*

They appeal to the King.

1619. Selden's submission.

The clergy were not so easily pacified, and James began to think that, whether Selden were right or wrong, it would conduce to his own ease to stop their mouths. Without troubling himself any further about the merits of the case, he allowed the Court of High Commission to call upon Selden to sign a form of submission, in which he was to acknowledge his regret for having furnished any argument against the Divine Right of

* Preface to Three Tracts. *Selden's Works*, iii. 1401.

Tithes. Such a regret was, of course, wholely imaginary, and it is sad that such a man should have set his hand to any allegation of the kind. Yet it was one which he was at least able to sign without any breach of consistency, as he had always declared that he had no intention of touching upon the question of Divine right at all. The prohibition by the Court of the sale of his book was probably felt by him as a severer blow. 1619.

He is forbidden to reply.

Worse than this, however, was in store for Selden. One after another his antagonists came forward with their answers to his book, claiming, in tones of defiance, the victory over the man whom they had silenced. Yet one thing was wanting to their security. If Selden was prohibited from selling his original production, it was always possible that he might publish a new work in reply to their criticisms. It was not difficult to induce James to come forward in their defence. Selden was summoned once more before the King, and was told that whatever might be written against him, he must not presume to reply.*

1620. Selden's letter to Buckingham.

Selden's last word upon the subject was contained in a letter addressed to Buckingham. The favourite had been simple enough to ask him why he had so carefully abstained from pronouncing an opinion on the Divine right. His reply was a masterpiece of irony. In it he once more expressed his inability to cope with such intricate questions. Whatever conclusion he came to, he was sure to be in the wrong. If, after profound study, he were to convince himself that no such right existed, what sort of treatment must he expect from the King? If, on the other hand, he convinced himself that the right did exist, he would be placing himself in direct opposition to the law, which exacted payment only in so far as it was in accordance with its own rules; and to books formerly set forth by public authority, in which the doctrine was denounced amongst the errors of the Papists.†

Course of religious thought.

Whether the repose of the English Church would be broken by any disputes more serious than those which

* Extract from the Register of the High Commission Court.—*Biog. Brit.* Article, Selden; note K.

† Selden to Buckingham, May 5, 1620. *Works*, iii. 1394.

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had lately engaged the attention, without exciting the animosities, of the nation, was the secret of the future. The history of human progress is closely connected with the history of human misery. It is in contact with the evils of the time that knowledge expands, and a new sensitiveness is acquired by the moral feelings. The course of morality, like the course of a river, is profoundly modified by the obstacles which bar its way. Like a mighty stream, after its escape from the iron portals of the hills, the current of English religious thought was now meandering at its own sweet will, forgetful of the fierce struggles in the midst of which it had been tortured into fanaticism, or cowed into subservience. Yet as the stream does not change its nature, but is as ready as ever to leap up into foam or to plunge into the abyss as soon as some other rocky barrier stretches across its path, so was it with English religion. Ten years of government in the hands of men like Laud would make nine-tenths of the earnest thinkers of the nation as fierce as were the men who had concocted the Marprelate libels. Ten years of government in the hands of men like the Puritan magistrates of Lancashire would drive the great majority of the English people into the warmest admiration for the system of Laud. Of such violent changes as these, however, there was not much danger as long as James was alive. But there was a risk that the growth of that spirit of mutual toleration, which had been steadily on the increase, might receive a check, if any events upon the Continent should intervene to threaten a renewal of the strife with the Catholic powers; and, above all, if James should, in an evil hour, revert to his wretched scheme of a Spanish marriage for his son, and should thereby implant more deeply in the hearts of his Protestant subjects that distrust and suspicion of their Catholic neighbours which it should have been the object of every far-sighted ruler to allay.

Already an example had been given, in the Dutch Republic, of the violence with which the flames of religious faction may rage, when they are fanned by the well-meant but injudicious attempts of a Government to interfere with the natural current of opinion. It was not

1618.

long since a protest had been raised by Arminius and his followers against the Calvinistic doctrine of predestination. In the province of Holland, the new teaching had been eagerly welcomed by Barneveldt and by the commercial oligarchy who had learned to look with jealousy upon the popularity of the clergy. Undoubtedly Barneveldt's wish was to be tolerant; but he thought that he had done enough for religious liberty in obtaining from the States of Holland an order that the rival theologians should abstain from controversy, and should live in mutual charity with one another. The compromise was joyfully accepted by the Arminians, who were the weaker party. By the Calvinists it was utterly rejected. Strong in popular sympathy, they thundered from a thousand pulpits against the new heresy, and refused to partake of the Eucharistic bread and wine in communion with its followers. The magistrates, ignorant that toleration, if it is worthy of its name, must give free scope even to folly and uncharitableness, retaliated by expelling these clerical fire-brands from their pulpits. The result was that, in many places, the supporters of a system which had taken root in the soil together with the Reformation itself, and which was still cherished with excessive devotion by the vast majority of the population, were either reduced to silence, or were driven to hold their assemblies by stealth in barns and farm-houses outside the walls of the towns.

Arminianism in Holland.

All eyes were turned upon Maurice. To him the proceedings of Barneveldt were thoroughly distasteful; yet he was in no hurry to interfere. For theology, indeed, he cared little;* but he saw that the unwise course which Barneveldt was pursuing was weakening the military strength of the Republic. At the same time he was not ignorant that a revolution, however successful, would bring weakness in its train. If Barneveldt could have been brought to grant a real toleration, instead of one which was essentially one-sided and unjust, the catastrophe which followed would probably have been averted. It was only when the States of Holland ordered their

Maurice at the head of the Calvinists.

* The story, however, that he did not know whether the Calvinists or the Arminians held the doctrine of predestination, is evidently a pure invention.

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contingent in the federal army to transfer its allegiance from the common government to themselves, and began to raise new levies in their own name, that Maurice overcame his reluctance to interfere. If such things as these were permitted, it was plain that the unity of the Republic was at an end, and that it was a mere question of time when Leyden and Amsterdam would open their gates to receive a Spanish garrison.

The revolution.

The overthrow of Barneveldt's power was easy,—easier, probably, than Maurice had expected. In a few days the leaders of the Arminians were in prison, and their places were occupied by the devoted followers of the House of Nassau.

Thus far the revolution had been directed to justifiable objects. If Maurice's powers had been equal to the task before him, his name would have gone down to posterity surrounded by a glory as pure as that by which his father had been honoured. He was now, by his elder brother's death, Prince of Orange; and the name which he inherited should have reminded him that there are higher duties than those which can be performed in the field. He might have reorganized the Republic. He might have become the founder of true religious liberty. But Maurice was utterly deficient in the qualities needed for such a task. He had done a soldier's work in a rough soldier's way. He could do no more; and he stood aside, whilst, under the shadow of his great name, violent and unscrupulous partizans committed acts by which his memory has been blackened for ever.

1619.

The Synod of Dort.

The hour of the Calvinistic ministers was come. In the spring a national Synod met at Dort, to stamp with its authority the foregone conclusions of its members. Divines from all the Calvinistic churches of the Continent took part in its deliberations. Even James sent deputies from England to sit upon its benches. The Arminians were summoned as culprits to the bar. Browbeaten and insulted, they were finally deprived of their offices. The States General then came to the aid of the divines, and banished from the territory of the Republic those of the deprived ministers who refused to engage to abstain from preaching for the future.

1619. Execution of Barneveldt.

Even with this the Calvinists were not content. Barneveldt was dragged before a tribunal specially appointed for the purpose of trying him, and was accused of a treason of which he was as innocent as the wildest fanatic who had voted down Arminianism at Dort. Yet the temper of the dominant faction left him no hope of a fair hearing. Maurice, who had been led to believe that his antagonist was too dangerous to be spared, refused to interfere in his behalf; and, in his seventy-third year, the aged statesman was hurried to the scaffold as a traitor to the Republic which he had done so much to save.

Attitude of James.

James had not been an unconcerned spectator of these events. For some time he had been profuse in advice; but not a word which would be of the slightest practical use to either party had ever crossed his lips. He had declared strongly in favour of moderation, but he had at the same time recommended the convocation of the Synod which made moderation impossible. His theological sympathies were on the side of the Calvinists. If his political sympathies were on the side of Barneveldt and the supporters of the claim of the civil government to the control of the clergy, they were neutralised by the recollection of frequent collisions with that statesman in his negotiations upon commercial matters. He little thought that, in a few years, he would be copying Barneveldt's abortive scheme of seeking peace by the imposition of silence. Still less did he imagine that the revolution in Holland was only the precursor of a greater revolution in England, in which his own son was to take up the part which had been played with such signal want of success by Barneveldt.

Virginia.

In the year which was marked in Europe by the execution of Barneveldt and the triumph of the Calvinists at Dort, an event, scarcely noticed at the time, took place in America. In 1619, the first Colonial Parliament assembled at James Town.

1614. Dale's administration.

The five years which had passed since Gates* had left the colony, in 1614, had brought great changes to Virginia. His successor, Sir Thomas Dale, ruled with firmness and ability. The land which had hitherto been held

* *Hist. of England*, 1603—1616, i. 363.

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in common was divided into private holdings, and this measure was attended with the best effects. If the settlers did not acquire wealth rapidly, they were at least contented and prosperous. After two years, Dale returned to England well satisfied with the results of his administration.

Visit of Pocahontas to England.

On board the vessel on which he recrossed the Atlantic, was a passenger who was likely to attract far more attention than the Governor. Pocahontas, the daughter of the Indian chief Powhattan, who in the early days of the colony had served as a friendly messenger between her father and the settlers, was in the ship. She was now the wife of an Englishman, and was eagerly looking forward to the first sight of the land which, in her childhood, had so powerfully attracted her imagination.

Her previous history.

The history of her marriage was a strange one. In 1612, a vessel came out to the colony, under the command of a daring and unscrupulous adventurer, named Argall. Finding that hostilities prevailed between the colonists and the natives, he formed the design of seizing as a hostage the daughter of the principal chief in the neighbourhood. By the bribe of a copper tea-kettle he induced an Indian to entice Pocahontas on board his vessel, and sailed away with his prize to James Town. For some months it seemed that the outrage had been committed in vain. Powhattan still refused to submit to the terms demanded of him. At last, however, he was informed that one of the settlers, named Thomas Rolfe, wished to marry his daughter. The intelligence pleased him, and a general pacification was the result. Pocahontas was instructed in the religion of her husband, and was baptized by the name of Rebecca.*

Sanguine men believed that in this marriage they saw the commencement of an union between the two races, from which a great Christian nation would arise in America, under the protection of the English Crown. It was not so to be. The story of Pocahontas herself was too sure an indication of the fate which awaited her race. At

* Smith's *History of Virginia*, 112. Stith's *History of Virginia*, 127.

first everything smiled upon her. Captain Smith, who had known her well in Virginia, presented her to the Queen. Anne received her kindly, and invited her to be present at the Twelfth-Night masque. So delighted was the Indian girl with the brilliancy of the scenes which opened before her, that she could hardly be brought to accompany her husband on his return. She never saw her Virginian home again. Her brain had been overtasked, and her imagination excited by the throng of new sights and associations which had pressed upon her. She died at Gravesend before she set foot on board the vessel which was to have carried her back. She left one child, a little boy. Sir Lewis Stukely, as yet unstained by disloyalty to Raleigh, asked to be allowed to care for his education. Stukely did not live long enough to corrupt the child. After his death young Thomas Rolfe was transferred to the care of an uncle. He afterwards emigrated to his mother's country, and through him many of the foremost families of Virginia have been proud to trace their lineage to the Indian Pocahontas.*

1617. Her presentation at court. Her death.

In England, but for the audacious mendacity of Smith, her name would probably soon have been forgotten along with those of so many of her race who have from time to time visited our shores. He was at this time looking about for fresh employment, and he saw that the best chance of acquiring notoriety lay in connecting his name with hers. He accordingly invented that touching story, which has for two centuries and a half charmed readers of all ages. Of the many poetical fictions which historical inquiry in our day is clearing away, there is none which will be surrendered with such regret as that which tells how the captive Englishman condemned to death was saved by the intervention of the daughter of his captor.†

Invention of Smith's romance.

1616. Introduction of the cultivation of tobacco.

The short administration of Yeardley, who had been left behind as Dale's deputy, was marked by the introduction into the colony of the cultivation of the tobacco

* Smith's *History of Virginia*, 121. Chamberlain to Carleton, June 22, 1616; Jan. 28; March 29, 1617. *S. P. Dom.*, lxxxvii. 67; xc. 25, 146.

† Smith's *True Relation of Virginia* (ed. Deane), 38, note 3; 72, note 1; Wingfield's *Discourse of Virginia* (ed. Deane), 32, note 8. No doubt seems any longer possible after Mr. Deane's arguments.

CH. III. 1616.

plant, to which the whole of its subsequent prosperity was owing. Hitherto the settlers had been engaged in a struggle for existence; they had now at last before them an opportunity of acquiring wealth. Yet the change was not of unmixed advantage. Everyone was in haste to grow rich, and everyone forgot that tobacco would not prove a substitute for bread. Every inch of ground which had been cleared was devoted to tobacco. The very streets of James Town were dug up to make room for the precious leaf. Men had no time to speak of anything but tobacco. The church, the bridge, the palisades, were allowed to fall into decay, whilst every available hand was engaged upon the crop which was preparing for exportation.

Yeardley's administration.

The natural result followed. Starvation once more stared the settlers in the face. There was not corn enough in James Town to last till another harvest. Yeardley, a kindly, inefficient man, had not foreseen the danger, or had been unable to make head against it; and the only remedy which he could devise was an attack upon the Chickahominies for the purpose of enforcing the payment of a corn tribute which had been for some time in abeyance. The expedition was successful, and was, doubtless, applauded at the time. But it did not promise well for the union between the races which was to have sprung from the marriage of Rolfe and Pocahontas.*

1617. Argall arrives as Governor.

Yeardley had held office for little more than a year when he was succeeded by Argall. The new Governor was not the man to imitate the remissness of his predecessor; and the colonists soon found that he was determined to be obeyed. The defences of James Town were repaired. Harsh remedies were applied to the recent disorders. Every act of the colonists was now to be fenced about with prohibitions. The trader was to content himself with a profit of twenty-five per cent. No intercourse was to be held with the Indians excepting through the medium of the constituted authorities. Whoever wasted his powder by firing a gun, excepting

* Smith's *History of Virginia*, 120. Stith's *History of Virginia*, 140.

in self-defence, was to be condemned to penal servitude for a year. Whoever taught the use of firearms to an Indian was to be put to death.* CH. III. 1617.

His tyranny.

Even such regulations as these might have been endured if Argall had been a man of integrity. But when it came to be known that in the eyes of the Governor he was himself the one man in Virginia who was above the law, the whole Colony broke out into open discontent. Every homeward-bound vessel carried across the Atlantic complaints of his tyrannical conduct to individuals, and of his shameless robbery of the public stores.

1618. Appointment and death of Lord de la Warr.

As soon as these complaints reached London, the Company requested Lord De la Warr to return to America, and to save the colony once more from ruin. In the spring of 1618 he left England, accompanied by the best wishes of all who took an interest in Virginia; but his weakly constitution was unable to bear up against the hardships of the voyage, and he died before the passage was completed. Argall was in consequence left a little longer in possession of the authority which he had misused. With childish spite he took especial pleasure in ruining the estates which, by De la Warr's death, had become the property of his widow. He left no stone unturned to drive Lady De la Warr's servants from her employment, and to entice them to transfer their services to himself. Hearing that Brewster, the agent in charge of the estate, had remonstrated against his proceedings, he ordered him to be seized, and sent before a court-martial to answer for the words which he had used against the Governor. Brewster was condemned to death, and this monstrous sentence would have been carried into execution if the general voice of the Colony had not compelled Argall, however unwillingly, to commute it to one of banishment from Virginia.†

Sentence upon Brewster.

He is recalled.

The news of these extraordinary proceedings excited no little indignation in London. The Company, warned by the failure of their attempt to substitute King Stork for King Log, restored Yeardley to the post from which

* Smith's *History of Virginia*, 123; Stith's *History of Virginia*, 147.
† Stith's *History of Virginia*, 149.

CH. III. 1618. they had recalled him, and ordered him to send Argall home to give an account of his conduct.

Yeardley's appointment was fortunately something more than a mere change of governors. By the instructions which he carried out, he was directed to put an end for ever to the system of martial law which had been introduced by Dale, and which had recently been so terribly abused. He was also ordered to call together an assembly, freely elected by the colonists, before which he was to lay a code of laws which had been prepared for their use in England.

1619. His flight. The first Colonial Parliament.

The new Governor arrived too late to secure the punishment of Argall. Timely notice had been given him, and he had made his escape from the Colony. But no time was lost in laying the foundations of a more prosperous future. On the 30th of July, 1619, the first Colonial Parliament gathered round Yeardley at James Town.* From henceforth Virginia was to be governed by its own laws, freely accepted by its own representatives. England had stamped her own likeness upon her creation, and the first of the free colonies of England had taken firm root by the side of the flaunting glories of the Spanish empire.

The Company in England.

The changes by which the Colony had been distracted were not without effect upon the Company at home. At the time when Yeardley sailed, Sir Thomas Smith still presided over its fortunes with the title of Treasurer. It had become the fashion in Virginia to look upon him as the source of all the evil that had befallen the colony, and though there was probably some exaggeration in this, the charges brought against him were not without foundation. His temper was easy, and he was lax in his attention to the duties of his office. It was to his relationship with Smith that Argall owed his appointment. Nor was Argall the only one of Smith's allies who brought discredit upon the Company. His son, Sir John Smith, had married a sister of Lord Rich, who, in the spring of 1619, succeeded to the Earldom of Warwick, which had a few months before been purchased by his father. The

* The proceedings of this Assembly, the loss of which was regretted by Mr. Bancroft, are in the Record Office. *S. P. Colonial*, i. 45.

new earl, whose piratical adventures in the East were paralleled by his piratical adventures in the West,* was a firm friend of Argall, and, strong in Court favour, he did his best to secure the protection of the Company for the deposed Governor.

Sandys Treasurer of the Company.

But the Company were not so to be misled. They refused to re-elect Smith to the office of Treasurer. His successor was Sir Edwin Sandys, who had taken a leading part in the preparation of the laws which had just been sent out to Virginia, and whose services in the English Parliament had well fitted him to preside over the introduction of Parliamentary institutions in America.†

It is thus that the year 1619 becomes a date to be remembered in the history of English colonisation. The election of a leading member of the Parliamentary opposition to the responsible office of Treasurer is an evidence that in the Virginia Company, as in the City of London, and as in every body of active and intelligent men, the spirit of opposition to the Court and its minions was on the increase. The breach thus made was to grow wider every year till the Company was swept away by the irritation of the King. But in the meanwhile Sandys had done his work. He had planted the standard of free institutions at James Town, and under the shadow of that standard Virginia grew and prospered when the Company which had fostered it in its infancy had ceased to exist.

1605. The English and Dutch in the East.

The course of English adventure in America finds, in some respects, its parallel in the long struggle of the East India Company for the establishment of commercial relations with the extreme East. There, too, English enterprise was at first attracted to those parts which were richest in the promise of a lucrative trade. As in America, it found them pre-occupied, and after a long and fruitless struggle with its rivals, it discovered its Virginia in the open ground of the peninsula of India. In many respects, indeed, there is no parallel to be drawn between the attitude of Spain towards the English in the West Indies and the attitude of the Dutch in the Eastern Seas.

* Stith's *History of Virginia*, 153.
† Stith's *History of Virginia*, 158.

CH. III. 1605.

As far as the Continent, or even the larger islands were concerned, it would have been madness, at the beginning of the seventeenth century, for either England or the Netherlands to think of establishing an empire similar to that which had been built up by Spain in America. The native states were far too powerful, and the climate was too unsuited for permanent occupation by large bodies of the inhabitants of Northern Europe, that it was enough if factories could be established at the points most suitable for commercial intercourse. That bitter jealousies should arise between the merchants of the two nations was only to be expected. Here and there a party of Englishmen would come to blows with a party of Dutchmen, and broken heads, or even the loss of a few lives, would be the result. The chiefs of the rival factories would intrigue with the native princes for exclusive privileges. But, on the whole, no very great harm would have been done. The local hatreds would have been bitter enough; but they would not have blazed out into internecine war, nor would they have been of sufficient importance to call for more than a passing notice from the Governments of London and the Hague.

The Spice Islands.

There was one spot in the Indian Ocean where these conditions were reversed. Pepper might be shipped at any port in Java or Sumatra. It was a mere matter of convenience at what point in the Indian Peninsula the trade in calicoes should be conducted. But nutmegs were, at that time, only to be found in the little group of the Banda Isles, and cloves grew nowhere in the world except on the five islands to which the name of Moluccas had originally belonged, and on the more southerly archipelago which clustered round the noble harbour of Amboyna as its commercial centre.

The Portuguese ejected by the Dutch.

It was after a long and arduous struggle that the Dutch had succeeded in driving the Portuguese, at that time counted amongst the subjects of the King of Spain, out of Amboyna and the Moluccas. They did not profess to come as conquerors. They came, as Raleigh had come to Guiana, to defend the natives from the oppression of their tyrants. All that they required in return from the grateful islanders, for whose sake, as they said,

they erected forts and kept up garrisons, was that they should enter into an engagement to sell no spice to anyone but themselves.

1605.

1609. The Dutch at the Bandas.

From Amboyna an expedition was fitted out in 1609 to take possession of the Bandas. The fear of the Dutch arms compelled the inhabitants of Neira, the principal, though not the largest, island of the group, to grant to them by treaty a monopoly of their trade;* and this treaty was long afterwards appealed to as conferring upon the Dutch East India Company the sovereignty not merely of the island of which they were actually in possession, but of the whole surrounding group. Yet, in spite of the treaty, the natives soon combined in an attempt to drive out the invaders. The next year, however, David Middleton, coming to the Bandas in search of nutmegs, found that a fort had been built, and that Neira was in complete subjection, whilst the remaining islands still maintained a precarious independence.†

The *Mare Liberum* of Grotius.

Such proceedings formed a strange comment upon the *Mare Liberum*, the celebrated treatise published by Grotius at Leyden, in the very year in which his countrymen were exacting a monopoly from the Bandanese, in which he proved, to the logical discomfiture of the Portuguese, that commercial monopolies were contrary to all law, human and divine.

The commercial question preceded by the territorial.

That Grotius was in the right no one in the present day will be found to question. Liberty of trade is a good thing in all places and at all times. But what Grotius, working out his problem with all theoretical correctness, failed to see, was that there was another question to be settled before the commercial difficulty could be even approached. It was, in fact, as impossible to agree to freedom of trade before the territorial limits of the European Powers in the newly-discovered countries had been settled, as it was to allow religious liberty before the absolute independence of the national Governments was admitted. A French merchant landing at Sydney in the nineteenth century, or an English merchant landing at Surat in the seventeenth century, came

* *Purchas*, i. 717.
† *Purchas*, i. 238.

CH. III. 1609.

to buy wool and calico, and they came for nothing more. But an English merchant asking for freedom of trade at the harbour of Amboyna or at the mouth of the Orinoco in the reign of James I. was not unreasonably regarded with as much suspicion as a Jesuit asking for freedom of conscience in England in the reign of Elizabeth. The request was denied, not so much to the unarmed trader by whom it was preferred, as to the armed force which he was supposed to have at his back.

Free trade impossible in the Spice Islands.

That the Dutch should form commercial establishments in a number of small islands without acquiring territorial sovereignty was impossible. Wherever a civilised nation comes in contact with an uncivilised population, quarrels inevitably spring up, which can only end in the subjection of one or the other. It was still more impossible to share this sovereignty with another European nation. Englishmen and Dutchmen might continue to trade amicably within the dominions of the Great Mogul, because, under the sway of that powerful monarch, both the English and the Dutch held their factories on sufferance. But the presence of Englishmen and Dutchmen together at Amboyna or the Bandas could produce nothing but anarchy. Whenever the natives had real or imaginary grounds of complaint against either factory they would appeal to the other for support, and the mutual exasperation would end in a deadly quarrel, of which the inevitable result would be the expulsion or the annihilation of one of the contending parties.

It is claimed by the English.

Looking back as we do from the vantage ground on which we stand, it is possible to see that in these islands the establishment of territorial dominion must have preceded commercial freedom.* But it was hardly to be expected that the English in the East would acquiesce without a struggle in the sacrifice which such a concession demanded. As the weaker power, they cried out loudly for liberty of trade. They had loaded their vessels with cloves and nutmegs before the islands had been

* In fact, there was needed the adoption of a principle of *cujus regio, ejus commercium*, analogous to the principle of *cujus regio, ejus religio*. Both were steps of progress, yet both look mean enough in comparison with that which has been since attained.

occupied by the Dutch, and why should they not do so now? The Dutch cried out no less loudly against this impertinent interference with their subjects, and complained bitterly that it was unfair that, whilst their own trade was burthened with the expense of maintaining forts and garrisons to keep out the Portuguese, the English, who were under no such obligations, should be enabled to undersell them in the European market. 1609.

In 1613, Jourdain was sent out from the English head-quarters at Bantam with orders to re-open the clove trade at Amboyna and the neighbouring island of Ceram. Everywhere the natives had the same story to tell him. They would gladly sell him all the spice they had, but the Dutch had threatened them with instant ruin if they permitted a single bag of cloves to find its way on board the English vessels.* 1613. Jourdain's voyage.

The next year no fresh attempt was made. But in 1615 Skinner was despatched with instructions to open factories, if possible, both at the Bandas and at Amboyna. At Neira the complaints of the natives were terrible. "It was enough," they said, "to make old men weep; and the child, too, that was yet unborn. God had given the country to them and theirs; but He had sent the Dutch as a plague upon them to take it from them." But those who heard the sad tale were powerless. The Dutch Commanders ordered Skinner to leave the island, and, in the face of seven well-armed vessels lying before the fort, it was hopeless to resist. The English met with similar treatment at Amboyna and Ceram, though Skinner succeeded in leaving a pinnace to trade with the friendly natives of Puloway, an island of the Banda group which was as yet unoccupied by the Dutch.† 1615.

As soon as the Dutch at Neira heard that Englishmen had been left at Puloway they determined to make a vigorous effort to reduce the island before succour could arrive. The attack was repulsed by the natives,‡ and upon their The Dutch attack upon Puloway.

* Jourdain's Journal; *Sloane MSS.* 858, fol. 83.

† Welding to Jourdain, May 23. Farie to the Company, July 26, 1614. Instructions from Jourdain, Jan. 24. Boyle to the Company, Feb. 18. Skinner to Denton, July 12. Cockayne to Smith, July 16. Jourdain to the Company, Dec. 26, 1615. *E. I. C. Orig. Corr.*

‡ Valentyn. *Oud en Nieuw Ost-Indien*, Deel. iii. Stuk. ii. 81.

CH. III. return to their head-quarters at Neira, the Dutch officers 1615. complained that they had found arms of English make in the possession of those whom they chose to call rebels against their authority. The English pinnace remained at the island till August, and, when it sailed away with its cargo of nutmegs, Robert Hunt was left behind as factor for the Company.

1616. In the following March, four English ships arrived at Puloway under the command of Samuel Castleton. Scarcely had they cast anchor when eleven Dutch vessels put out from Neira to oppose them. The natives of Puloway, and of the neighbouring island of Pularoon, were encouraged by the presence of Castleton to make a formal surrender of the islands to Hunt as the representative of the King of England. They were a warlike race, and judging by what took place in these seas in the following year, it would seem that with their assistance it would not have been difficult to hold both the islands. Castleton, however, thought otherwise, and entered into negotiation with the Dutch. It was agreed that Hunt should give no assistance to the natives, on condition that the Dutch, if they proved successful, would share the trade with the English. With this promise Castleton professed himself satisfied, and sailed away, leaving Puloway to its fate. As soon as he was gone, Hunt's native forces mutinied, and he was obliged to fly from the island to save his life. The Dutch, relieved from his presence, continued the struggle, and, reducing the natives to subjection, thought no more of their agreement.*

Puloway and Pularoon surrendered to Hunt.

Puloway taken by the Dutch.

1617. News in the seventeenth century did not travel fast, and it was not till September, 1617, that the Company in London heard that Puloway had been lost eighteen months before. There was no sign of flinching. Ever since the failure of the negotiations with the Dutch Company, in 1615,† they must have expected something of

Resolution of the Company.

* Compact with the Dutch, March 16. Directions to Hunt, March (?), 1616. *E. I. C. Orig. Corr. Purchas*, i. 608. Jourdain's Journal; *Sloane MSS.* 858, fol. 106. The information on Castleton's voyage is, however, extremely imperfect.

† *History of England*, 1603—1616, ii. 202.

the kind. They at once ordered that six ships should be got ready in the spring to defend their interests in the East. "By such strength," they say in their Minutes, "the inhabitants of Banda and the Moluccas will be encouraged to deal with the English when they shall find them of power to resist the wrongs put on them by the Hollanders." They did not intend to send the fleet "to oppose the Hollanders in hostile manner, but to countenance their business that they be not put down or forced from their trade:—which it seems they do intend in all parts:—but to send a good strength both to the Moluccas and Banda, and do it to purpose once for all, and try what the Hollanders will do, if a man of courage may be had that will not endure their wrongs. But as yet they have only given words, and no deeds."* 1616.

Courthope at Pularoon.

The last sentence was evidently aimed at Castleton. It was not till after the interval of a year that the Company learned that the man of courage of whom they had been in search had been found amongst their servants in the East. Late in 1616, two vessels, the Swan and the Defence, were despatched from Bantam under the command of Nathaniel Courthope, one of those forgotten worthies by whose stern self-sacrifice in the face of the calls of duty the English Empire has been built up in every quarter of the globe. In fulfilment of his instructions,† he steered for Pularoon, which was as yet unsubdued by the Dutch. His first step was to convince himself by inquiry that the surrender of the two islands to Hunt had been made in proper form. He then, having first accepted from the natives a confirmation of their previous act, sent to inform the Dutch Governor of Puloway that both islands were included in the dominions of the King of England.

1617.

He compels the Dutch to retire.

Courthope's message was at once treated as a challenge. On the 3rd of January, three Dutch ships sailed into Pularoon roads, and dropped anchor close to the Swan and the Defence. If Courthope had not taken the precaution of erecting two batteries on shore, his case would have been hopeless. As it was, he was able

* *E. I. C. Court Minutes*, Sept. 25, 1617.

† Instructions to Courthope, Oct. 29, 1616. *E. I. C. Orig. Corr.*

CH. III. 1617.

to take a high tone with the new comers. He ordered them to put to sea at once. If they were not gone before midnight, they must take the consequences.

The Dutch Commanders glanced at the English batteries on the shore, and at the swarms of hostile natives crowding upon the beach. They shrunk from the conflict, and before midnight came they were on their way back to Neira. A week later a Dutch pinnace, which by accident or design stood in close to the shore, was greeted with a storm of shot from the English guns.

Capture of the Swan.

Courthope's difficulties were only beginning. His officers and men were insubordinate, and, against his advice, Davey, the Master of the Swan, carried his ship over to the Great Banda for water. Seeing that he was determined to go, Courthope directed him to visit the town of Weyre, on the Great Banda, and the Island of Rossengain, as it was understood that the inhabitants were anxious to cede their territory to the English. Davey carried out his instructions, and the cession was formally made; but on his return to Pularoon he was intercepted by a Dutch vessel of far superior strength to his own. After a severe fight, the Swan was carried into Neira Roads with the English colours trailing over the stern in derision.

The Defence given up to the Dutch.

It was some time before the news of the loss of the Swan reached Pularoon. Undismayed at his misfortune, Courthope set to work to complete his fortifications. But his own men were discontented. They had come to Pularoon, they told him, to trade, and not to fight. On the night of the 26th of March, whilst the Commander was on shore, the crew of the Defence mutinied, and carrying the vessel to Neira, delivered her up to the Dutch.*

Courthope holds out.

To complete Courthope's misfortunes, he had no hope of assistance till the westerly monsoon blew again at the end of the year; and as the island on which he was, was one of the westernmost of the group, he was exposed to an attack from Neira for at least six months.

* Correspondence between Courthope and the Dutch Commanders, Jan. —April, 1617. *S. P. East Indies.* Surrender of Pularoon and Puloway. Spurway to the Company, *Purchas*, i, 701, 608.

He had but thirty-eight of his men on shore with him when he was deserted by the Defence. Food, too, was running short, and, if it had not been for the opportune arrival of two junks laden with rice, starvation would have done the enemy's work. All that he could do was to send news to Bantam in a native boat, and to wait hopefully for the help which was sure to come at last. 1617.

Capture of the Speedwell.

The Dutch made up their minds to proceed to extremities. The Speedwell, an English pinnace, sailing along the coast of Java, was fired at by the Dutch Admiral, and captured. At Bantam, a declaration of war against all who attempted to trade in the Spice Islands was fixed to the door of the English factory. The two fleets were only prevented from fighting in the Roads by the interposition of the native king, who threatened, that if they did not keep the peace, he would cut the throats of every European on shore.*

1618.

Dale sent out from England.

It was high time that the Company should take some steps to send help to the brave men who were imperilling their lives in its behalf. The winter of 1617 had been spent in preparations for the expedition which was to sail in the spring. It was not till April, 1618,† more than a year after the capture of Courthope's last vessel, that the fleet destined for his relief was ready to sail. It was composed of six ships, and was placed, at Southampton's recommendation, under the command of Sir Thomas Dale.‡ It was, perhaps, all that could be done; but the shareholders must have had great faith in Dale's energy and talents if they thought that, with the miserably insufficient force at his disposal, he would be able to accomplish the object for which he was sent. His adversaries had at their command a fleet of thirty sail, and in case of necessity could fall back upon the twenty-two fortified posts where the four thousand soldiers of the great Dutch Company kept watch and ward over its interests in the East.§

* Remonstrance of the state of the question, &c., Jan. (?), 1619, Holland. News brought by a French vessel, 1618 (?), *S. P. East Indies.*

† Lovelace to Carleton, April 6, 1618. *S. P. Dom.* xcvii. 9.

‡ *E. I. C. Court Minutes*, Sept. 30, 1617; Feb. 3, 1618.

§ Bell to Carleton, Sept. 12, 1618. *S. P. Holland.*

CH. III.
1618.

Dale's little squadron had hardly left the Thames when a distorted account of the loss of the two vessels, in which the whole blame was thrown upon Courthope, reached England through a Dutch channel.*

The Dutch propose to negotiate.

The Dutch were the first to move. The wealthy merchants who presided over the fortunes of the East India Company of the Netherlands were far from sharing in the fierce antagonism against everything English which animated their subordinates in the Indies. All they wanted was to secure large dividends, and they were well aware that their dividends would be seriously affected by the outbreak of a war. Caron, the Dutch Ambassador in London, was therefore at once directed to propose the renewal of the negotiations which had failed in 1615, and, at the same time, to present a complaint against the assistance rendered by the English to the Bandanese.†

For some time nothing was done. The Dutch Republic was in the throes of its religious revolution, and it was not till Maurice was thoroughly established in power that any serious attempt was made to open negotiations. By that time the indignation of the English Company was excited. The news which they received from their own agents in the East had told them what Courthope's conduct had really been, and they presented a petition to the King demanding justice for the outrages to which they had been exposed. The party of the Prince of Orange, which was now in power, had every wish to remain on good terms with England, and early in October Commissioners were appointed to go over to London to discuss the matters in dispute.‡

* Carleton to Chamberlain, April 25. Carleton to Lake, April 25. Carleton to Beecher, April 30, 1618. *S. P. Holland.*

† Caron to the States General, $\frac{\text{April 28}}{\text{May 8}}$, May $\frac{7}{17}$, $\frac{\text{June 25}}{\text{July 5}}$, 1618. *Add. MSS.* 17,677 I. fol. 284, 289, 305.

‡ Contarini to the Doge, $\frac{\text{Sept. 25}}{\text{Oct. 5}}$. *Venice MSS.* Desp. Ingh. Salvetti's *News-Letter*, $\frac{\text{Sept. 25}}{\text{Oct. 5}}$. Naunton to Carleton, Sept. 8. *S. P. Dom.* civ. 62. Bell to Carleton, Sept. 12. Carleton to Naunton, Sept. 15. Naunton to Carleton, Sept. 24. Carleton to the King, Sept. 29. Resolution of the States General, Oct. $\frac{9}{19}$. Carleton to Naunton, Oct. 12, 1618. *S. P. Holland.*

Just as the Commissioners were ready to start, an incident occurred which threatened to interrupt the good understanding prevailing between the two Governments. News arrived in London that one of the vessels which had taken part in the capture of the Swan was in the Channel. With more zeal than discretion, the English Company applied to the Admiralty Court for a commission to arrest it. The request was at once granted, but before anything was done the vessel had passed the Straits, and was safe in a Dutch port.

Attempted reprisals on the Dutch.

The Dutch Government was indignant at the insult. They suspected the King of having authorised the attempt to obtain satisfaction by force at a time when negotiations had been already commenced. James, however, assured Caron that he knew nothing about the matter, and Caron informed his masters that he had no reason to doubt the truth of the King's assertion.* The Commissioners were accordingly allowed to start.

On the 27th of November, the Dutch negotiators arrived in London.† Their instructions authorised them to treat on the Spitzbergen whale-fishery, in which the English and Dutch had lately come to blows, as well as on the East India trade. But this was not enough for James. He wished the whole of his grievances to be settled once for all. There were matters relating to the cloth trade, and to the relative value of the coinages, which required adjustment. But his principal complaint was that the Dutch refused to renounce their claim to fish for herrings on the British coast.

Arrival of the Dutch Commissioners.

In England and Scotland the herring-fishery had been almost totally neglected. Here and there in fine weather a few small boats would put off timidly a little distance from the shore, and would bring home a supply for the

The herring fishery.

* Contarini (Nov. $\frac{6}{16}$, 1618, *Venice MSS.* Desp. Ingh.) speaks of the order as emanating from the King. But Caron, writing on the same day (*Add. MSS.* 17,677 I. fol. 353), after giving the King's disclaimer, adds an instance in which a similar order had been issued without any authority from the King. James was at Royston at the time, and may not have been consulted in a matter requiring such haste.

† Dutch Commissioners to the States General, $\frac{\text{Nov. } 28}{\text{Dec. } 8}$, 1618. *Add. MSS.* 17,677 I. fol. 363.

CH. III. 1618.

temporary wants of the local market.* Of late years the Dutch had discovered the value of the prize which Englishmen had allowed to slip out of their hands, and every season large fleets of well-built vessels put out from the ports of Holland and Zealand to fish in English waters.

Disputes with the Dutch.

James had long looked upon this disregard of his prerogative with displeasure. In 1607 he had issued a proclamation † forbidding foreigners to fish on English coasts without a licence. But little respect had been paid to the prohibition; and when, ten years later, an attempt was made on the coast of Scotland to enforce the rights of the Crown by the demand of the old customary tax known as the size herring, the Dutch captain replied by carrying the officer of the customs a prisoner to Holland. As a matter of form, James required the offender to be sent over to England. But he treated him kindly, and contented himself with requiring that the Commissioners who were shortly to negotiate on the business of the East Indies should also be empowered to settle the disputes relating to the fishery.‡

Postponement of the question.

The first thing that James learnt, after the arrival of the Commissioners, was that they had no instructions on the subject. He at once sent for them to Whitehall, where they were soundly rated by Bacon for coming with insufficient powers. In their answer the Commissioners spoke of their claim to fish as being an immemorial possession. By this language they added fuel to the flame, and at one time it seemed likely that they would be sent back without a hearing upon the more important matters with which they were charged. Even if the Dutch Government had been willing to prohibit the fishery, they would hardly have dared to take a step which would have brought ruin on thousands of families.

James's anger seldom lasted long. The Commissioners were allowed to explain away their words. They had

* Burroughs, *Sovereignty of the Seas*, 117.

† Proclamation, May 7, 1607, printed in Needham's Translation of Selden's *Mare Clausum*.

‡ The Lords of the Council to Carleton, Aug. 4, 1617. *Carleton Letters*, 156. Salvetti's *News-Letters*, May $\frac{7}{17}$, June $\frac{4}{14}$, 1618.

no intention, they said, to deny his right of regulating the fishery on his own coasts. But the struggle with the Arminians was scarcely at an end, and in the midst of these difficulties it was impossible for them to treat on so delicate a subject. In reply, James disclaimed any wish to deprive the fishermen of their bread; but if it cost him his life, his crown, and all that he had, his prerogative must be maintained. Messages were sent to and fro between London and the Hague, and James finally contented himself with an engagement that whenever the Dutch Government was sufficiently settled, the matter should be taken in hand.*

1619.

The negotiations on the East India trade.

At last, after a delay of some weeks, the negotiations on the East India trade were allowed to commence. Five members of the Privy Council were joined with deputies of the Company to meet the Commissioners. The question of the restitution of the captured vessels and their lading was the first to be discussed, and it was, after a long dispute, agreed that the captors should not be required to make good any losses sustained whilst the prizes were in their hands, unless it could be distinctly proved that the vessels had been employed in their service at the time.†

News from the East.

Scarcely was this preliminary point settled, when news arrived from the East which must have convinced everyone who was interested in the success of the negotiations that there was no time to be lost. Through the whole of the summer of 1617, Courthope had maintained his ground at Pularoon, waiting for the westerly monsoon which was to bring him help from Bantam. At length the wind changed, and the hopes of the little garrison rose as they heard it sweeping through the nutmeg-trees. But still the weeks passed wearily away, and day after day

* Naunton to Carleton, Dec. 16, 21, 22, 29, 1618; Jan. 2, 21, 1619. Carleton to the King, Jan. 3. Carleton's proposition, Jan. 22. Reply of the States General, Feb. 13, 1619. *S. P. Holland.* The Dutch Commissioners to the States General, Dec. $\frac{17}{27}$, 1618, $\frac{\text{Dec. 24}}{\text{Jan. 3}}$, 161$\frac{8}{9}$, Jan. $\frac{3}{13}$, $\frac{\text{Jan. 23}}{\text{Feb. 2}}$, 1619. *Add. MSS.* 17,677 I. fol. 367, 370, 374, 380.

† Dutch Commissioners to the States General, $\frac{\text{Jan. 23}}{\text{Feb. 2}}$, 1619. *Add. MSS.* 17,677 I. fol. 380. First article of the Treaty; Ordre Reglé par les Compagnies. Dumont, *Corps Diplomatique*, v. ii. 333, 335.

CH. III. 1618.

they saw the sun sinking into a sailless sea. At last, on the morning of the 25th of March, more than fifteen months after his arrival in the island, Courthope caught sight of two vessels in the offing. They had been detained by storms, and that very morning the wind veered round to the east. Then the Dutch fleet from Neira knew that its time was come, and bore down upon its prey. The English ships, the Solomon and the Assistance, were deeply laden with provisions for the relief of their countrymen, and were in no condition to resist the attack. Yet it was only after a combat of seven hours that they surrendered, and were carried, with every mark of the derision of the captors, into Neira Roads. The crews were put in irons, and were subjected to every possible hardship short of actual starvation.

Loss of the Solomon and the Assistance.

Courthope, who had witnessed the disaster from the shore, contrived to send a letter to Bantam. He marvelled, he wrote, that so small a force had been sent. It was idle to expect justice from the Dutch. He had held Pularoon against them for more than a year. He and his men had lived on rice and water, and had thought themselves fortunate that even that was to be had. Now another twelvemonth, with its want and misery, was before them. The Dutch had eight ships at Neira, and he was in hourly expectation of an attack; yet he would do his best till the monsoon changed. If the Dutch were too strong for him, he trusted, with God's help, to make them pay dearly for their victory.*

Courthope holds out.

It would have been, indeed, to turn Courthope's disasters to account, if the English Government had been led by them to consider, a little more deeply than before, the real nature of the problem which they were called upon to solve. The intelligence which every ship brought from the scene of strife should have carried conviction to the mind of James that the only hope of preserving peace in the East lay in as strict a definition as possible of the

The negotiations in London continued.

* Courthope's Journal. *Purchas*, i. 664. Courthope to Bell, April 24, 1618. *E. I. C. Orig. Corr.* The news which, according to Salvetti (*News-Letter*, Jan. $\frac{21}{31}$, 1619), reached England in January, 1619, was probably in less detail, and perhaps through a Dutch channel.

territorial limits of the two Companies. As long as human nature remained what it was, Dutchmen and Englishmen, placed in too close contact, would fly at one another's throats. Mercantile quarrels in the nineteenth century are easily settled. In the remotest corner of the globe in which there is any danger to be apprehended, the presence of an armed force, commanded by officers who are themselves strangers to the questions at issue, is certain to enforce upon the combatants the duty of appealing for redress to their respective Governments. But in the seventeenth century the armed force was commanded by the merchants themselves, and two years at least must elapse before a letter written from the Bandas could receive an answer from Europe.

Views of the merchants.

By those who were on the spot some weight had been given to these considerations. In 1616, Courthope had carried with him instructions to avoid places already in the possession of the Dutch, and to content himself with taking possession of unoccupied islands in the name of the King of England. It was too much, however, to expect that, till they had received the confirmation of a bitter experience, such views would be favourably regarded in London, where the Company was inclined either to under-estimate the preponderance of the Dutch forces in the East, or to imagine that it would be possible to counterbalance them by the pressure which it was in the power of the King of England to put upon the States General.

By contenting themselves with asking for the islands which had been ceded to Courthope, the Company would have gained in security. But, undoubtedly, they would have sacrificed the prospect of enormous gains. They had taken up the cry of liberty of commerce without the slightest idea of its real meaning. It was all very well to demand free trade if there was nothing else to be had. It was better than no trade at all. But, in the seventeenth century, no one but a madman would have denied that the smallest share in a monopoly was preferable to the freest commerce in the world. The English merchants, therefore, gave the Dutch Commissioners to understand that if they would in any way admit them

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to a share of the trade, without requiring them to merge their corporate existence in that of the Company of the Netherlands, they would be ready to meet them half-way.

Division of the monopoly.

On these terms the negotiators were not long in coming to an agreement. Both Companies shrank from the competition which would be the result of the division of the Spice Islands, and it was resolved by both that the monopoly should remain intact. The cloves and nutmegs were from henceforth to be bought on a common account, and after being divided in certain fixed proportions between the Companies, to be sold in Europe at a price determined by mutual agreement. What the exact proportion was to be in which the spice was to be divided it was more difficult to decide. The English asked for a half. The Dutch thought they ought to be content with a quarter. After much wrangling, it was determined that it should be a third. The monopoly was also to include the pepper trade of Java, but, as the Dutch could lay no claim to the possession of the island, the crop was to be equally divided between the two nations. In the other ports in the Indian Ocean commerce was to be open to both.*

Dispute about the fortresses.

One point remained to be settled. How were the Spice Islands to be fortified against the Portuguese? It was agreed, without difficulty, that the expenses of the defence should be discharged out of a fund raised by a duty on exports, and that a fleet, composed of an equal number of English and Dutch ships, should be placed at the disposal of a council at which each of the two nations was represented by four members. It was also agreed that existing fortifications should remain in the hands of their original possessors; or, in other words, that the English garrison should be unmolested at Pularoon, and that the other islands should be left in possession of the Dutch. But the demand of the English negotiators to

* Dutch Commissioners to the States General, Feb. $\frac{4}{14}$, $\frac{\text{Feb. 21}}{\text{Mar. 3}}$, May $\frac{1}{11}$, 1619. *Add. MSS.* 17,677 I. fol. 389, 392, 418. The Dutch proposed that one-third of the trade in the whole of the Indies should be assigned to the English, but this was refused.

be allowed to erect new fortifications wherever they thought fit was met by a flat refusal.*

The question of the fortifications contained, in truth, the kernel of the treaty. To the Dutch it was plain that, if they gave way, the new forts would, sooner or later, be used against themselves. To the English it was equally plain that, without such protection, they would be at the mercy of the Dutch. Neither side would give way. Each party felt instinctively that the treaty would not work, and neither was willing to find itself, when war broke out afresh, in the power of its antagonist.

Appeal to the King.

The puzzled negotiators appealed to the King. James had taken a deep interest in the progress of the discussion, and, from time to time, had interfered to soften down the asperities which had been provoked. The problem before him, however, was not one which could be solved by a few civil words. He had to reconcile two diametrically opposite pretensions. It was not in his nature to go to the root of the difficulty, and, as usual, he chose rather to go round the obstacle than to surmount it. He contented himself with a recommendation that the question should be reserved for a more convenient opportunity. In two or three years, he said, experience would have shown at what points fortifications would be most needed, and the negotiations would then be resumed with a better prospect of success.†

His recommendation.

Dissatisfaction of the English Company.

The King's award was received with indignant protests by all who had any interest in the English Company.‡ And yet it is difficult to see what more they could have asked him to do. It was notorious that their own forces in the East were far inferior to those at the disposal of their rivals, and they could hardly expect, in such a cause, to embroil England in the most unpopular and impolitic of wars. The real weakness of the agreement

* Dutch Commissioners to the States General, April $\frac{16}{26}$, 1619. *Add. MSS.* 17,677 I. fol. 413.

† Locke to Carleton, April 24. *S. P. Dom.* cviii. 71. Balconqual to Carleton, May 20. *S. P. Holland.* The Dutch Commissioners to the States General, $\frac{\text{May } 25}{\text{June } 4}$, 1619. *Add. MSS.* 17,677 I. fol. 423.

‡ Chamberlain to Carleton, Jan. 5. *S. P. Dom.* cix. 75. Petition of the E. I. C., June (?), 1619. *S. P. East Indies.*

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did not arise from the King's refusal to thrust English garrisons upon Dutch territory, but in the success of the English merchants in establishing a treaty right to share in the commerce of islands which were under the territorial sovereignty of another nation.

Satisfaction of the anti-Spanish party.

By the politicians who looked with jealousy upon the growing influence of Spain, the arrangement was welcomed in a very different manner. To Pembroke and Naunton, it was enough that an accommodation had been brought about, whatever its terms might be, and they trusted hopefully that the commercial union with Holland would soon be followed by a political union.* Yet even Pembroke and Naunton must sometimes have looked wistfully for news from the East, knowing as they did that a whole year must still elapse before an agreement made in London could be published in the Bandas.

Signature of the treaty.

The treaty was signed on the 2nd of June, 1619.† On the 15th of July the Dutch Commissioners were entertained at a splendid banquet in Merchant Taylors' Hall. After dinner they were informed by Digby that the King would not press them about the Spitzbergen whale fishery.‡ He would give them three years to make restitution to the English subjects whom they had wronged.

The Spitzbergen whale-fishery.

Unfortunately, whilst the Commissioners were negotiating in London, the conflict between the forces of the two nations in the East had broken out into a flame. In November, 1618, Dale arrived at Bantam, and at once declared war upon the Dutch. On the 23rd of December he came up with the enemy off Jacatra, and compelled the Dutch fleet to seek refuge in flight. But he did not improve the victory. Much precious time was lost in the siege of the Dutch fort at Jacatra, and when the spring came round he dispersed his fleet over every quarter of the Indian Seas in search of trade. Before

1618. Dale defeats the Dutch.

* Pembroke to Carleton, July 11. Locke to Carleton, July 17, 1619. *S. P. Holland.*

† Dumont, *Corps Diplomatique*, v. ii. 333.

‡ Commonly known as the Greenland fishery. In the Declaration of the Dutch Commissioners, July 15, 1619, *S. P. Holland*, it is said to be "on the coast of Greenland, otherwise called King James' Newland." This was Spitzbergen, supposed to be a continuation of Greenland.

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the English ships could gather to their rendezvous on the coast of Sumatra, Dale died of sickness at Masulipatam.*

His death.

Either the Dutch Admiral was less hampered by commercial necessities, or he knew better how to make use of his opportunities. With the easterly monsoon, which had carried away Dale's ships, he returned with reinforcements from Amboyna.† He reduced to ashes the native town of Jacatra, the king of which had given aid to the English, and on its ruins laid the foundations of the new Batavia, which was one day to be to the Dutch Company what Calcutta became to their rivals. In August the Star arrived from England, bringing news of the opening of negotiations in London. As no treaty had been signed at the date of its departure, the Dutch seized the vessel, and despatched six ships to Sumatra to look out for English traders. On the coast they found four of the Company's vessels busily engaged in lading pepper. The captain of one of these, the Bear, had met Sir Thomas Roe at the Cape on his return from India. As it happened that a new Dutch admiral was also there on his outward voyage, Roe had opened communications with him which had ended in an agreement that hostilities should be suspended till the result of the negotiations in London could be known. But in the suddenness of the attack this agreement was either not produced, or was disregarded. One of the English ships, the Dragon, was forced to surrender after a combat of an hour's duration, and the other three were too much encumbered with their lading even to attempt a defence.‡ The prisoners were treated with the greatest inhumanity, and many of the wounded died from exposure to the rain upon the open deck. Amongst the prizes on board, the Dutch sailors found a handsome knife, which had been sent out as a present from the King to the native sovereign of Acheen. They carried it about the deck in

The loss of the Star,

and of four other ships.

* The details of Dale's proceedings will be found in the *E. I. C. Orig. Corr.* of the date.

† Churchman's relation. Undated *E. I. C. Orig. Corr.* News by the "Union" pinnace, Aug. 5, 1619. *S. P. Holland.*

‡ Hore to the E. I. C. *Purchas*, i. 656.

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1619. Further losses.

uproarious procession, shouting out at the top of their voice, "Thou hast lost thy dagger, Jemmy."* A few days later two other English vessels were taken at Patani, and the captain of one of them was killed.†

1620. News of the treaty reaches the East.

At last, on the 8th of March, 1620, news arrived of the actual signature of the treaty in London.‡ A conference was immediately held between the commanders of the two nations, and for the moment, at least, the most friendly disposition was evinced on both sides. A council of war was at once formed, and the united fleets were placed under its orders.

Death of Courthope.

The news of the treaty had been delayed too long to save one valuable life. It was now three weary years since Courthope landed at Pularoon. He still held out alone and unsupported, and another six months must pass before the change of wind would make it possible to convey to him the intelligence that his labours were at an end. When the news of peace reached Pularoon, it was too late. Two months before, as Courthope was crossing to the Great Banda in a native boat, he was intercepted by two large vessels belonging to the Dutch garrison at Puloway. In the unequal contest, "the captain," as we are told in the simple narrative of his successor in command, "behaved himself courageously, until divers of the Banda men were slain. And the captain also, receiving a shot in the breast, sat down, and withal his piece being cloyed, threw it overboard, and then leapt overboard himself in his clothes, the praw being too hot to stay in."§ When the news of the treaty at last arrived, the Dutch commander bore willing testimony to the merits of his brave adversary. "The Captain Nathaniel," he wrote, "is killed in the praw, for which, God knoweth, I am heartily sorry. We have buried him so stately and honestly as ever we could, fitting to such a man."‖ So died, trusted by his countrymen, and honoured by enemies who seldom showed

* A brief relation of the damages lately done by the Hollanders. Undated. *S. P. Holland.*

† *Purchas*, i. 687.

‡ *Purchas*, i. 640.

§ Journal of Hayes. *Purchas*, i. 679.

‖ Van Anton to Hayes, Dec. 9, 1620. *Purchas*, i. 681.

honour to any who bore the name of Englishman, one of the noblest of those by whose unflagging zeal the English Empire in the East was founded. The day of the Drakes and the Raleighs was passing away. The day of the Blakes, the Rodneys, and the Nelsons was dawning. 1620.

1618. Exportation of gold.

At the time whilst the East India difficulty was being settled by negotiation, James determined to take into his own hands the redress of another grievance of which he complained no less bitterly. The exportation of gold was, in those days, universally regarded as equivalent to robbery, and it was no secret that the foreign merchants residing in London had long been in the habit of exporting gold to a large amount. It was said that since the King's accession no less than 7,000,000*l.* had been carried away surreptitiously. The indignation of James and the Council knew no bounds. Eighteen of the offenders, chiefly Dutchmen, were summoned before the Star-Chamber. But it proved less easy than had been expected to establish a case against the defendants. The necessary witnesses had been smuggled out of the country, and, in default of positive evidence, the prosecution was obliged to rely upon general inferences. As soon as the case had been heard, it was adjourned, on the plea that it was hard to punish the eighteen without including in the sentence others who were equally guilty.* The real cause of delay was, doubtless, the desire of the Government to obtain more satisfactory evidence than that of which they were in possession.

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Fines imposed.

During the vacation fresh proofs were discovered, and in the autumn both the new and the old defendants were sentenced to considerable fines, amounting altogether to 140,000*l.* Bacon pleaded hard that the whole sum might find its way into the Exchequer. James was more merciful, and contented himself with exacting rather less than 29,000*l.*†

* Smith to Carleton, Dec. 2. *S. P. Dom.* civ. 4. Bacon to Buckingham, Dec. 11, 1618. *Works*, ed. Montagu, xii. 364. Locke to Carleton, June 11. Herbert to Carleton, June 12. Report of the Proceedings, June 14, 1619. *S. P. Dom.* cix. 87, 90, 96. Papers relating to the process, *Add. MSS.* 12,497, fol. 10—68.

† Bacon to Buckingham, Oct. 9, Nov. 19, 26, Dec. 7, 1619. *Works*, ed. Montagu, xii. 263, 265, 377; xiii. 20. Chamberlain to Carleton,

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Such a sentence, coinciding as it did with the prevailing ideas on political economy, was not likely to call forth much opposition in England. Yet there were some who remembered that a large amount of bullion was every year smuggled out of Spain by English merchants, and who shook their heads at the impolicy of provoking measures of retaliation at Madrid.*

Illness of the Queen.

The spring of 1619 had been marked by the death of the Queen. She had been long suffering from dropsy, and, since the King's return from Scotland, her condition had been such as to inspire her physicians with grave anxiety.† She continued in a feeble state during the following year, and it was evident to all but herself that she had not long to live. On the 22nd of February she took to her bed. On the 1st of March her case was considered hopeless. The King, who was absent from London, was not within reach; but the Prince was summoned to his mother's bedside. Before he could arrive, the Archbishop of Canterbury and the Bishop of London were admitted to see her. They were aware of the rumours which were abroad respecting her religion; and the first words which were addressed to her by Abbot were intended to be a test of her belief. "Madam," he said, "we hope your Majesty doth not trust to your own merits, nor to the mediation of saints, but only by the blood and merits of our Saviour, Christ Jesus, you shall be saved." "I do," was the reply, "and withal I renounce the mediation of all saints, and my own merits, and do only rely upon my Saviour, Christ, who has redeemed my soul with his blood." In that hour of weakness the belief of her maturer years passed away like a dark cloud, and she had forgotten everything excepting the faith of her childhood.

Her death.

Still she would not believe that she was dying. When her son arrived, she spoke to him a few light words, and ordered him to leave the room. Nor were the bishops

Dec. 4. List of fines, Dec. 8, 1619. *S. P. Dom.* cvi. 62, 66. Receipt Books of the Exchequer.

* Chamberlain to Carleton, June 19, 1619. *S. P. Dom.* cix. 102. Salvetti's *News-Letter*, Dec. $\frac{10}{20}$, 1619.

† Chamberlain to Carleton, Oct. 25, 1617. *S. P. Dom.* xciii. 140.

allowed to remain. There was not much amiss, she said. Those who were around her bed urged her to make her will. "No," she replied, "to-morrow will do well enough." It was one in the morning before she was aware that her end was near. She sent again for her son, and, laying her hands on his head, gave him her blessing. The lords in attendance brought in her will, but she was unable to sign it. She said that she left everything to the Prince, and that she hoped that her servants would be rewarded. The Bishop of London prayed with her. "Madam," he said at last, when her speech had failed, "make a sign that your Majesty is one with your God, and longs to be with Him." She held up one of her hands, and when that was exhausted she raised the other, till that, too, sank down. In a few minutes she was no more.*

Her character.

The Queen's death was of no political importance. Her character was too impulsive to give her much influence with her husband, and she seldom attempted to employ it with any settled and deliberate purpose. As long as Mrs. Drummond was with her, she remained, in secret, a professed Roman Catholic, and welcomed with pleasure the hope of seeing her son married to the Infanta. Upon Mrs. Drummond's marriage and return to Scotland, in 1613, her antipathy to Somerset took entire possession of her mind. In the last years of her life she had appeared as the advocate of Raleigh, and as the decided opponent of the Spanish party. Her real sphere was at the banquet and the masque. Those who had been acquainted with her in the midst of her butterfly existence continued to speak of her with kindness. But by the mass of the nation she was as completely forgotten as though she had never lived.

Illness of the King.

James had not been with his wife during her last illness. He had taken leave of her on the 6th of February, and had gone down to Newmarket to enjoy himself. Whilst there, he was taken ill. In the beginning of March he thought himself well enough to go out to see a horse-race; but he was unable to remain on the ground. For some days it was thought that he

* —— to ——, *Abbotsford Club Miscellany*, 81.

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was dying. He sent for his son and the principal lords, that they might receive his last commands.* A few days afterwards he began to recover, and by the middle of April he was well enough to be removed to Theobalds in a litter. The first thing he did on his arrival was to order the deer to be driven before his chair so that, though he was too weak to mount his horse, he might enjoy the pleasures of the chase in imagination.† As soon as he was able to move about, some one told him that the best cure for the weakness of the legs, from which he was still suffering, was the warm blood of a newly-killed deer. For some weeks, therefore, as soon as the hunt was over, he was to be found with his feet buried in the carcass of the animal which had just been pulled down by the dogs.‡

His verses on the Queen's death.

James does not appear to have felt his wife's death very deeply. During his illness, he had penned in her remembrance a few lines, in which, characteristically enough, his appreciation of the almost divine splendour of Royalty left him no room for a single word to express any personal grief for his loss. A great comet had lately appeared in the sky, and this, too, he pressed into the service of the English Monarchy :—

> "Thee to invite the great God sent His star,
> Whose friends and nearest kin good princes are,
> Who, though they run the race of men and die,
> Death serves but to refine their majesty.
> So did my Queen from hence her court remove,
> And left off earth to be enthroned above.
> She's changed, not dead, for sure no good prince dies,
> But, as the sun sets, only for to rise." §

The King's visit to London.

On the 1st of June, James made his entry into London for the first time since his illness. He was still popular with his subjects. When, at the first news of his recovery, the Bishop of London had appeared at Paul's Cross to

* Lovelace to Carleton, Feb. 24. Chamberlain to Carleton, March 6, April 10. Harwood to Carleton, April 4, 1619. *S. P. Dom.* cv. 132; cvii. 6; cviii. 15, 33.

† Chamberlain to Carleton, March 27, April 24. *S. P. Dom*, cvii. 54; cviii. 69.

‡ Chamberlain to Carleton, June 26. *S. P. Dom.* cix. 113.

§ *S. P. Dom. Imperfect MSS.* No. 2, fol. 27.

return thanks for his preservation, a greater crowd than had been seen for many years had gathered round him to express their joy.* Whatever the King's faults may have been, men were unwilling to exchange their well-meaning Sovereign for the uncertainties of the future. They now flocked to see him ride once more in his accustomed state. He was dressed in gay colours, and looked, as one who saw him said, more like a wooer than a mourner.

Marriage proposed for Christopher Villiers.

It would have been strange if this day of rejoicing had been allowed to pass without some exhibition of the King's weakness for his favourite. Lady Buckingham had now set her heart upon providing, by a wealthy marriage, for her youngest son Christopher in the way that she had already provided for her eldest son John. But it was difficult to find a lady rich enough to command a choice of suitors who was willing to condemn herself to pass the rest of her life with the unattractive and unintelligent lad. Siege had first been laid to the widow of the eldest son of the Earl of Suffolk. But the lady had laughed at the youth's presumption, and had given her hand to Sir William Cavendish.† The Villierses turned to the City. The Lord Mayor, Sir Sebastian Harvey, had an only child, a girl of fourteen. It was known that his property was worth at least 100,000*l.*‡ Again the honour of the alliance was declined. The King was easily induced to interfere. Message after message was sent by James to the reluctant citizen. But the course which had proved so successful with Coke failed utterly with Harvey. His child, he said, was too young to marry yet. James was highly displeased, and, as he rode into London, his first thought was to rate the Lord Mayor soundly. But the Lord Mayor was not to be seen. The old man was lying sick at home, worn out by the importunity which he had found it so difficult to resist.§ Six weeks afterwards

* Chamberlain to Carleton, April 17, 1619. *S. P. Dom.* cviii. 51.

† Lorkin to Puckering, July 14, 1618. *Harl. MSS.* 7002, fol. 414.

‡ Salvetti's *News-Letter*, July $\frac{16}{26}$, 1619.

§ Lorkin to Puckering, May 24. *Harl. MSS.* 7002, fol. 476. Chamberlain to Carleton, May 31, June 5, 1619. *S. P. Dom.* cix. 61, 75.

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James suddenly appeared at the Mansion House, and used all his eloquence with the father of the heiress. But Harvey needed neither place nor pension, and was unconvinced. Christopher Villiers did not succeed in finding a wife for many years to come.

Sir John Villiers raised to the peerage.

Lady Hatton had proved equally obdurate in her refusal to make over her Dorsetshire property to Sir John Villiers. James was obliged to console him with a peerage. The new Viscount Purbeck took his title from the very lands which his mother-in-law had refused him.

The new Whitehall.

In passing through London, after his recovery, James remained a single night at Whitehall. No doubt he found time to look at the works which had been commenced under Inigo Jones. In 1606, a stately banqueting-house had been erected in the place of the old one in which Elizabeth had kept state. The new building had just been burnt down, and James, whose designs had risen with his fortunes, now thought of nothing less than of replacing the whole palace by a splendid pile which would be worthy of his exalted dignity.

The banqueting-house, which still remains to look down in fragmentary solitude upon the busy throng, was all that was ever completed of this magnificent scheme. Few buildings have been more closely associated with events which have left their impress upon the history of our country. From one of its windows Charles I. stepped upon the scaffold. It witnessed the orgies of the second Charles, and the intrigues of the second James. Within its walls the crown, forfeited by the last of the Stuart kings, was offered to William of Orange. From that day its glory was at an end. The new Sovereign turned away from a spot in which his health would not suffer him to live; and the deserted building remained to be as completely a monument of the past as the wilderness of brick which attracts the gay and thoughtless crowd of sightseers to Versailles.

Yet, if stones can speak, it is of James I., rather than of his successors, that the tall pile declares itself to be a monument. It is the fitting memorial of a king whose whole life was unfinished; who never either counted the

cost of his undertakings, or put forth the energy which was needed to overcome the difficulties in his way. Nor was the long array of the columns which were to have arisen in their marshalled ranks in the place of the irregular and loosely-planned palace of the Tudors an unsuitable emblem of the ideas of ordered government which floated before his mind, and which he vainly hoped to substitute for the uncouth but living forms of the Elizabethan constitution.

Prosperity of James.

The banqueting-house at Whitehall marks the culminating point of James's life. He had just completed a thorough reform of the administration. He had effected considerable economy in his expenditure. He had crushed the last semblance of independence amongst the officers of state. He was bringing to terms the great commercial Company of the Netherlands in the East, and he was sending out a new Governor who would doubtless put an end to the difficulties of the Virginian colony in the West. Spain and France were bidding against one another for his alliance, and his own people had thronged in multitudes to St. Paul's to give thanks to God for his recovery from sickness.

The great comet.

That the cloud had already risen in Germany which was to overshadow this brilliant prospect, neither James nor those who were around him knew. Everything rather than this rose before men's minds as they tried to peer into futurity in search of the evil to come. In November, all England had been startled by the appearance of a comet of astonishing brilliancy. For some weeks the rich and the poor, the learned and the ignorant, were asking one another what it could possibly portend. The fate of the great man who had so recently perished on the scaffold in Palace Yard was almost forgotten in the general excitement. The comet, men said, had something to do with the fall of Barneveldt. It might be a warning against the Spanish match, and the design which James was supposed to entertain for the overthrow of the Protestant religion. Perhaps some great disaster, famine, plague, or war, was to be expected. It had come to herald the funeral of the Queen, or to proclaim the death of the

CH. III. 1619. King himself.* But the name of Prague was never mentioned with anxiety. And yet the conflagration which was to involve all Europe in its flames, and which was incidentally to ruin James's pretensions to statesmanship, had been for many months raging in Bohemia.

* Corbet's *Poetical Epistle.*

CHAPTER IV.

THE BOHEMIAN REVOLUTION.

1618. Troubled state of Germany.

To the statesmen of the early part of the seventeenth century Germany was what Spain became under the feeble rule of Charles II., and what the Turkish empire is to the politicians of the present day. It was there, if anywhere, that the outburst of smouldering passions would endanger the existing political system of Europe. Henry IV. had proposed to apply a radical cure to the evil which, whether it would have done any good to Germany or not, would at least have established the undisguised predominance of the French monarchy. His successor had folded his arms in sluggish incapacity, and had left the warring elements to themselves.

1518. The Reformation in Germany.

It was unfortunately far more easy to point out the causes of the malady than to remove them. The Reformation had come upon Germany before its national consolidation had been effected; and to the difficulty of deciding whether its population was to be Protestant or Catholic was added the difficulty of deciding where the power of settling the question really lay.

1555. Cujus Regio, ejus Religio.

In 1555 the preliminary question was resolved by the Peace of Augsburg. The lay princes were to be allowed, without fear of opposition from the emperor, to introduce Lutheranism into their territories. On the most important subject of the day, the central government of the empire relinquished its claim to be heard.

The maxim that the religion of a country belongs to him to whom the country itself belongs, which was thus adopted as the basis of the ecclesiastical settlement of the empire, is seldom mentioned at the present day without obloquy. It has been forgotten that it was once a landmark on the path to freedom. For it was directed not against the religion of individuals, but against the juris-

CH. IV. 1555.

diction of the emperor. It was in the nature of things that local toleration should precede personal toleration, and that before the claims of the individual conscience could be listened to, the right of each state to resist external dictation should obtain recognition. That it was the duty of the lawful magistrate to suppress false religion was never doubted. The only question was who the persecutor was to be.

The smallness of the German territories was undoubtedly conducive to theological bitterness. Nowhere were clerical coteries so narrow-minded, nowhere was the circle of orthodoxy fenced about with such subtle distinctions as in these petty states. But the same cause which narrowed the creed and soured the temper of the court divines, rendered the lot of the defenders of uncourtly opinions comparatively easy. It was better to be persecuted in a state of which the frontier was only ten miles from the capital than in a huge kingdom like France or England. If the emperor had won the day, and had imposed a uniform creed upon the whole of Germany, escape would only have been possible at the expense of exile in a foreign land. Banishment from Saxony or Bavaria was a very different thing. In a few hours the fugitive Lutheran or the fugitive Catholic would be welcomed by crowds who spoke the same mother tongue with himself, and would be invited by a friendly prince to enjoy at once the satisfaction of martyrdom and the sweets of popularity.

The Ecclesiastical reservation.

If the states of Germany had all been in the hands of laymen, it is not unlikely that the treaty of 1555 would have been accepted as a final settlement. Though Lutheranism alone had been recognised by it, it is hardly probable that any serious difficulty would have been caused by the defection of several of the princes to Calvinism.

The rock upon which the religious peace of Germany was wrecked was the ecclesiastical reservation. A stop was to be put to the further secularisation of the Church lands; yet it was hardly wise to expect that this stipulation would be scrupulously observed. Under the cover of sympathy with the Protestant inhabitants of the ecclesiastical districts, the princes were able to satisfy

their greed of territory, and the remaining abbeys and bishoprics in the north of Germany were, under one pretext or another, annexed by their Protestant neighbours. 1555.

1582. The Catholic reaction.

At last a check was placed upon these encroachments. An attempt to secularise the ecclesiastical electorate of Cologne and the bishopric of Strasburg ended in total failure. The prelates, whose lands stretched almost continuously along the banks of the Rhine, were too near to the Spanish garrisons in the Netherlands to be assailed with ease.

The repulse was followed by a Catholic reaction in the ecclesiastical states. Protestant preachers were silenced or driven into exile; Protestant congregations were dispersed; and, before the end of the sixteenth century, the populations were once more contented members of the Roman Catholic Church. The ease with which the change was effected is not to be ascribed to the sword alone. The selfishness of the princes and the wrangling of the Theologians were little calculated to attract the hearts of men by the side of the discipline and devotion of the Jesuits. "Order is Heaven's first law," and it was only when Protestants could appeal to an order more noble and more divine that they had any chance of victory.

1608. Protestant demands.

In this way, at the commencement of the seventeenth century, the Protestants saw themselves threatened in turn, and a cry rose from their ranks demanding the revision of the Peace of Augsburg. "Recognise," they said in effect, "the changes which have been already made, and we, on our part, will cease to encroach further on the Church lands." In the same spirit they approached the question of the imperial courts, which were naturally inclined to decide disputed points in accordance with the existing law, and it was impossible to deny that the existing law was not on the side of the Protestants. A demand was accordingly made that the disputes then pending should not be brought before the courts at all, but should be settled by amicable negotiation.

Few will be found at the present day to deny the fairness of these terms. They were, in fact, substantially the same as those which, after forty weary years, were conceded at the Peace of Westphalia. The line drawn would

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have separated not merely Protestant from Catholic governments; it would, with the single but most important exception of the dominions of the House of Austria, have separated Protestant from Catholic populations. The proposal was one which contained the elements of permanency, because it was substantially just.

Objections of the Catholics.

Yet, unless the Catholics were prepared to take into consideration the wishes and interests of the people, it was impossible for them to regard such terms otherwise than with the deepest loathing. For, to them, the secularisation of the Church lands was nothing better than an act of high-handed robbery. They looked upon the ecclesiastical territories very much in the light in which Italy was regarded by the Government of Vienna during the seven years which ensued upon the defeat of Solferino. Whilst regretting the loss of Lombardy, Austria never ceased to acknowledge the validity of the treaty by which the cession had been completed. On the other hand, she was ready to put forth all her strength rather than allow her title to Venetia to be disputed. But whilst she regarded the annexation of Tuscany and Romagna to the kingdom of Italy as altogether indefensible, she showed no signs of any intention to vindicate, by force of arms, the claims of the dethroned sovereigns whom she still recognised as legitimate rulers. In much the same way, whatever may have been the ravings of Jesuits and fanatics, sober Catholic statesmen were ready to abandon all hopes of regaining for the Church the lands of which the secularisation had been legalised by the Peace of Augsburg. But they were equally ready to fight against all comers for the territories which still remained in ecclesiastical hands, and they continued to speak of the annexations which had taken place since 1555 as mere acts of violence which they were too weak to resist, but which no power on earth should induce them to acknowledge as legitimate.

Was the Empire to be dissolved?

Great however as the difficulty was, it might not have been impossible to overcome it,* if it had not formed part of another and a larger question. For the Catholics

* By some such compromise as that which was adopted at Mühlhausen in

saw well enough that, for all practical purposes, they were asked to decree the dissolution of the empire, and they did not see that, in no other way, was its reconstruction possible. The authority of that venerable institution had been deeply impaired by the Peace of Augsburg. Would any remnant of power be left to it, if it were unable to vindicate the legal title of the suppressed ecclesiastical foundations? The Catholics were asked to surrender a claim, based, in their eyes at least, upon the eternal principles of justice. And this they were required to do, not upon any opposite theory of right, but simply in the name of what, in the political jargon of our own day, is called "an accomplished fact." If they yielded now, what possible guarantee was there that the aggression would not be repeated? If the empire were to fall, what was to take its place? It was easy to talk of settling difficulties by amicable negotiation instead of bringing them before a legal tribunal; but could any one seriously doubt that amicable negotiations carried on between a hundred petty sovereigns would end in anarchy at home and impotence abroad?*

Such arguments were very difficult to answer. But they could not be answered at all excepting by men who were resolved to hold fast by the substance of order, even when they were breaking up its existing form. Unless, therefore, the Protestant leaders could make up their minds to renounce all personal ambition, and, above all, to keep themselves clear from every suspicion of seeking to accomplish their own selfish objects under the cover of the general confusion, they would find their most legitimate designs fustrated by the swelling tide of adverse opinion.

The Protestant Union.

When, in 1608, the Protestant Union sprung into existence as a confederacy formed in defence of religion, it owed what sympathy it obtained to the idea that it was in reality, as well as in name, a defensive body. Unhappily this was not the case. Its nominal head, Frederick IV.,

1620, when the Catholics bound themselves not to use force to recover the lands to which they still laid claim as of right.

* What Germany was in its disorganized state may be judged from the one volume already published of Ritter's *Geschichte der Deutschen Union.*

CH. IV. 1608. the Elector Palatine of the day, was contemplating fresh annexations of ecclesiastical territory; and its guiding spirit, Christian of Anhalt, was prepared to put forth all his unrivalled powers of intrigue to sweep the House of Austria and the Catholic religion out of the empire together.*

The Catholic league.

Full of suspicion that more was meant by the formation of the Union than appeared upon the surface, the Catholics, with the Duke of Bavaria at their head, in their turn joined in a league for the purpose of warding off the danger which they feared, and for some time the rival confederacies glared defiantly across the frontier by which the two religions were geographically separated.

1610. Yet, bitter as was the feeling with which the two parties regarded one another, peace was still preserved for many years. That the hostilities caused by the disputed succession in Cleves were brought to an end without any general conflict was of good augury for the future. In fact, the Catholic League shrunk from a war of which it dreaded the consequences; and, whatever may have been the feelings of the leaders of the Union, the imperial towns, by whose contributions its exchequer was mainly filled, were all on the side of peace.

The House of Austria.

It was from another quarter that the dreaded evil at last appeared. Men had been so long accustomed to watch for the outbreak of hostilities on the banks of the Rhine, that they had almost forgotten that in the wide domains which submitted fitfully and uneasily to the sway of the Austrian Archdukes, the waves were swelling and heaving, as the prelude to the coming storm.

The fortunate marriages of the House of Austria have passed into a proverb; and there are probably many who still accept the satirical distich† which affirms that Austria has received from Venus the kingdoms which

* It is only lately that I have become aware of this; but since I have read Gindely's *Rudolf II.*, doubt has become impossible. No one who wishes to understand German history at this period should omit reading this book. See especially his account (i. 159) of the Elector Palatine's instructions to his ambassadors in the Diet of Ratisbon, ordering them to admit no agreement which did not put an end to the principle of the Ecclesiastical Reservation.

† "Bella gerant alii, tu felix Austria nube;
Nam quæ Mars aliis, dat tibi regna Venus."

others owe to Mars, as a sufficient explanation of the strange fortune which has piled so many crowns upon the heads of the descendants of Rudolph of Hapsburg.

As a matter of fact, however, for two centuries and a half, the work of dissolution went on as rapidly as that of annexation. It was in vain that one archduke after another wedded in turn the heiress of each neighbouring duchy or kingdom. The repulsion between rival districts and rival races was too strong to be overcome, and it was rarely that the second generation did not see the tie broken, and the work of union to be commenced afresh.

The Turkish wars.

What dynastic ambition was unable to accomplish, was effected at once by the fear of the Turkish power. After the terrible defeat of Mohacs in 1526, Hungary and Bohemia threw themselves into the arms of Ferdinand I.; and, as long as the conflict lasted, they remained, on the whole, faithful to his successors. It was not till the peace of Sitva Torok, in 1606, that the terror of a Turkish conquest abated; and scarcely was the ink dry upon the treaty, when the commotions which preceded the deposition of Rudolph II. gave an unmistakeable sign that the light band which had held the various races together for eighty years, was being strained to the utmost.

Attitude of the House of Austria towards the Protestants.

The fear of the janissaries, which had made the Archduke of Austria king of Hungary and Bohemia, also made him emperor. In both capacities he was brought face to face with the Protestantism of his subjects. In the conflict which awaited him as soon as he should have assured his eastern frontier from invasion, he could hardly take any other side than that of which Charles V. had constituted himself the champion. It was not merely by their Spanish blood, and by the memories of the ancient connection of the Roman See with the great office which they held, that the descendants of Ferdinand I. were driven, sometimes almost against their will, into the arms of the Catholic clergy. In their own peculiar domains, as well as in the empire, they found themselves engaged in a life-long contest with a Protestant aristocracy; and in the discipline of the Roman Church they grasped the

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lever by which they hoped to shake to the foundations the strongholds of their rivals.

Protestantism in Austria.

It was the misfortune of the Protestantism which sprung into existence in the dominions of the House of Austria, that its fate was intimately united with that of an anarchical aristocracy. Nowhere in Europe had the Protestant clergy so little influence. No Austrian Calvin or Knox, not even a Latimer or a Ridley, had sprung into existence. The Bohemian Confession of Faith stands alone amongst the countless Confessions of the sixteenth century, as the work of a body composed entirely of laymen. That amongst those vast populations there were thousands whose faith was sincere, cannot be doubted for a moment. That little band of mediæval Puritans, the Bohemian Brothers, had long submitted to an iron discipline; and, in the midst of trials and persecutions, had proved their constancy long before the name of Protestantism had been heard of. There were large numbers of Lutherans, who, when the day of trial came, proved their attachment to their creed by submitting to poverty and exile for its sake; and there were still larger numbers who handed down their faith in secret to their children, to burst forth once more when the edict of toleration was issued by Joseph II. Nor is it possible to estimate how far religion may have exercised its influence upon the hearts even of those who had adopted it as the watchword of a political party. Yet, when every allowance has been made, the dispassionate inquirer can hardly come to any other conclusion than that, however badly he may think of the religious system by which Protestantism was superseded in these territories, he cannot do otherwise than rejoice at the defeat of the political system of the men by whom Protestantism was in the main supported.*

To the great feudal families the adoption of the new religion had commended itself as the readiest way of shaking off the supremacy of the Crown. It gave them,

* Those who wish to know what crimes a great man in Bohemia might be guilty of without punishment, should read the story of Rudolph's natural son, Julius, as told by Gindely, ii. 337. It is only superficially that the cause of the estates of Bohemia against Ferdinand resembled the cause of the English Parliament against Charles I.

upon their own estates, all the power which had been assumed by the German princes within their territories. It enabled them to seize Church property by force or fraud, and to trample at pleasure upon the wishes and feelings of their serfs. It annihilated the authority of the sovereign and of the clergy, to the sole profit of the landowner. 1608.

Nor would the evil results of the victory of the aristocracy have ended here. Entailing, as it would necessarily have done, the dissolution of the ties which bound German Austria to Hungary and Bohemia, it would have thrown the whole of Eastern Europe into confusion, and would have reopened the road into the heart of Germany to the Mussulman hordes.

The Bohemian aristocracy.

If aristocratical Protestantism had been able to organize itself anywhere, it would have been in Bohemia. Cut off by a wall of mountains from Germany, and in a great measure separated by race from their western neighbours, the Bohemians ought to have formed a compact national body, able to resist all attempts to force upon them a religion which they detested. Once already they had shown the world of what efforts a thoroughly aroused nation is capable; but that had been in the days which had long passed by—when rich and poor had gathered in brotherly union round the cup, as the symbol of equality before God. The gigantic cups still held their places outside the churches to which they had been elevated by a past generation. To be an Utraquist was still the official designation of a Protestant. But the spirit of the old Utraquism had succumbed with its doctrines; and whatever enthusiasm might be excited by the new Lutheranism which had too often been nothing more than the cloak beneath which the landowners had thrown off all authority in Church and State, it was certain that it was very different from the wild fanaticism which had enabled the followers of Ziska and Procopius to scatter the Imperial hosts of Sigismund like chaff before the wind.*

1609.

The Royal Charter of Bohemia.

The revolution which overthrew the tottering throne

* See the remarks of Gindely, *Geschichte der Ertheilung des Böhmischen Majestätsbriefes*, 116.

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of Rudolph II. had been a golden opportunity alike for the Protestants and the aristocracy. By the royal charter which was extorted from the falling monarch, complete liberty of conscience was accorded to every Bohemian, from the noble to the serf, who adhered either to the Bohemian Confession of 1575, or who belonged to the Society of the Bohemian Brothers; but, as in England, liberty of conscience was not held to imply liberty of worship. In the royal towns, indeed, and on the royal domains, both Catholics and Protestants might build as many churches as they pleased. But the Bohemian aristocracy would indeed have changed its nature, if they had proclaimed upon their own estates the freedom which they forced upon the King. There they were still to be the masters; and they would take good care that their serfs and dependents should not be admitted to the exercise of a religion which was not to the taste of their lords.

Its insufficiency.

This settlement, which was confirmed by Matthias when, by the expulsion of his brother Rudolph, he ascended the throne of Bohemia, was without any of the elements of permanency. In many respects, the principle thus adopted was similar to that which, for more than half a century, had prevailed in Germany. But there was one important difference. The German princes had virtually become territorial sovereigns, and had taken upon themselves the duties with the responsibilities of sovereignty. The Bohemian nobles were still landowners and nothing more. Their estates were too small, and Constantinople was too near, to render feasible such a change in their position as would place them on an equal footing with an elector of Saxony or a landgrave of Hesse. A king of Bohemia must still be retained, but the King was one who was far more opposed to the nobility on every possible point upon which they could come in collision, than James II. was to the English people in 1688, or than Charles X. was to the French people in 1830.

Approaching revolution.

Such a state of things could not last. Either the nobility would set aside the King, or the King would beat down the nobility. At first sight, the former contingency might have appeared to be unavoidable. Three-fourths of the population, and all the military forces of

the kingdom were at the disposal of the Protestants. They could count on the warm sympathy, if not upon the active aid, of the great landowners in all the other States of which the dominions of their Sovereign were composed. But all this would avail them little, unless they could ripen in a moment into wise and forecasting statesmen, and could bow their heads to the stern yoke of discipline and self-denial by which nations are founded; unless, in a word, men, with all and more than all the failings of the English cavaliers, could learn at once to display the virtues of the Burghers of Leyden and the Ironsides of Cromwell.

They had already chosen the field of battle upon which the conflict was to be waged. In popular language, the Church lands were considered as the property of the Crown; and this interpretation had been accepted by all parties at the time of the drawing up of the law by which the details of the new arrangements introduced by the royal charter were guaranteed. But the clergy continued to hold a different opinion, and maintained that they had as much right to regulate the religious worship of their own territories as any of the temporal magnates; and this view of their position, in which the strictly legal use of terms was adopted in preference to the popular, received the hearty support of Matthias.*

Question of freedom of worship in the church lands.

The question was indeed of vital importance to him from a political as well as from a religious point of view. The ecclesiastical domains were almost the last supports on which his throne rested; and to be deprived of these

* On this subject Professor Gindely (*Rudolf II.*, i. 354) has retracted his former opinion, and now cites the evidence of Slawata to the effect that the agreement consequent upon the Royal Charter was understood at the time to leave the ecclesiastical domains in the same position as those held by the King, and consequently open to Protestant worship. From this he deduces the conclusion that the Protestants were at least technically in the right. But though the Catholics who assented to this agreement are put out of Court, it does not follow that Matthias, who was not King at the time, had not a sustainable case in arguing that he was not bound to travel beyond the four corners of the law. If a strictly legal interpretation did not make the Bishops' lands equivalent to Crown lands, he might well hold that he had nothing to do with the views of the individuals who composed the Diet. The whole case turns upon the interpretation of an agreement which had the force of law. That the Royal Charter itself favoured the case of the Protestants is a pure delusion.

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was tantamount to surrendering his crown at once to the nobility.

Candidature of Ferdinand of Styria.

In 1617, a golden opportunity was offered to the Bohemians of fighting their battle on favourable ground. The Emperor Matthias and his brothers were alike childless, and the Princes of the House had fixed upon his cousin Ferdinand of Styria as the fittest person to be entrusted with the united inheritance of the family. He was accordingly presented to the Estates for acceptance as their future king.

The terms in which the proposition was couched were sufficient to show that the throne was now claimed by hereditary right, and an attempt to postpone the Diet with the object of proceeding to an election of some other candidate failed signally before the overwhelming evidence adduced in favour of the doctrine that, excepting in the event of a failure of heirs, the Crown of Bohemia was hereditary and not elective.* It is true that in the midst of the confusions incident to the last revolution, Matthias himself had been elected, and Rudolph, glad enough to say or do anything which might in any way affect the position of the brother whom he detested, had acknowledged the crown to have passed to him in right of this election. But so plain was it that constitutional usage was on the other side, that the great majority of the Protestant members of the Diet agreed to accept Ferdinand as their king.

Yet, powerful as the force of argument had been, it seems strange that no attempt was made to settle the question of the ecclesiastical lands. The dispute had been on foot for years, and it was evident that unless the opportunity were seized for coming to an understanding on the question, it would survive as a standing cause of discord between the nation and its King.

Character of Ferdinand.

The Bohemians could have been under no misapprehension of the character and intentions of Ferdinand. The friend and pupil of the Jesuits, he had already

* An exhaustive examination of this point, with a full account of the debates in this Diet, will be found in Professor Gindely's paper in the *Proceedings of the Historical and Philosophical Class of the Vienna Academy for* 1859.

gained an evil reputation for intolerance which was even worse than he deserved.

In fact, it was hard to form a clear conception of the views and opinions of such a man in the very midst of the contest in which he was involved. Even now his distinct place in the scale which leads from the unquestioning intolerance of men like our Henry V., to the large tolerance of men like William III., has still to be recognised. Step by step, as each generation took its place upon the stage, the political aspect of ecclesiastical disputes presented itself more vividly to the minds of the representative men of the age, whilst the theological aspect was gradually dropping out of sight. The place of Ferdinand is to be found midway between Philip II. and Richelieu. To the Spaniard of the sixteenth century, Protestantism was still an odious heresy, which, if it were allowed to spread, might perhaps be injurious to the supremacy of the Spanish Monarchy, but which was chiefly to be abominated as tainting the religious faith of Christians. By the Frenchman of the seventeenth century it was regarded entirely from a political point of view. Ferdinand would have sympathized with neither. To him Protestantism was hateful, but rather as a source of moral and political disorder than as a spiritual poison.*

His education.

It could not well have been otherwise. When he passed as a boy from his own distracted land into Bavaria, where he was to receive his education from the Jesuits of Ingolstadt, the language of the Catholic reaction must have seemed to him almost like a Divine revelation. At Munich he saw an orderly and well-regulated Government walking hand in hand with an honoured clergy. At home he knew that every landowner was doing what was right in the sight of his own eyes. To him the religious condition of the Austrian territories must have appeared even more anar-

* "So lange," he wrote to his sister in 1597, "die Prädicanten walten, ist nichts als Aufruhr und Unrath zu erwarten, wie man es da, wo sie geduldet werden, täglich erfahren kann." Quoted from the MS. at Vienna by Hurter. *Geschichte Ferdinands II.*, iii. 410. In his will drawn up in 1621, he charges the guardians of his son to banish from the land all heretical doctrines. "Woraus Ungehorsam und Schwierigkeit der Unterthanen entspringt."

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chical than it really was. Doubtless a Protestant ruler of ability might have succeeded in reducing the chaos to order, and in beating down the arrogance of the nobles without crushing the faith of the people. But such a course was impossible for Ferdinand. He knew of but one fountain of justice and order—the Church of Rome.

His pilgrimage to Loretto.

To a lifelong struggle against that which was in his eyes the root of all evil, Ferdinand devoted himself by a pilgrimage to Loretto. Yet it would be wrong to speak of him as an ordinary persecutor. He never put himself forward as a general extirpator of heresy. He never displayed any personal animosity against heretics. His own nature was kindly and forgiving, and he was, by disposition, inclined to peace. The motto which he chose for himself, "For those who strive lawfully,"* displays his own measure of the work which he had undertaken. The champion of the law, he would observe the law himself. Whatever he had sworn to his own hurt he would execute; but whatever rights the law gave him he would unflinchingly maintain. No unintelligible theories about the rights of conscience should weigh with him for an instant. If Protestants could prove that the letter of the law was on their side, he would be the first to support them in their demands. If they had nothing but its spirit to appeal to, he would be the first to close his ear to them. His orderly and resolute mind was thoroughly narrow. One side of the great question of the day was the only one which he was able to see. Rights which were clear enough to others were no rights at all to him. In maintaining his position he was as fearless as he was incapable of doubt. When called upon to face a raging multitude, he would be as calm as if he were standing in the midst of a circle of devoted friends. For the statesman's task of balancing opposing duties he was altogether unfitted. When complicated questions forced themselves upon him, the undaunted champion of the Church sunk at once into a perplexed and vacillating politician.

His treat-

If there was any one principle more generally accepted in Germany than another, it was that which accorded to

* *Legitimè certantibus.*

the Princes the right of regulating the religious affairs of their own dominions. Ferdinand, therefore, who had inherited from his father the Duchies of Styria, Carinthia, and Carniola, had no sooner grasped the reins of government firmly in his hands, than he proceeded to proscribe Protestantism in his dominions by offering to his subjects the choice between conversion and exile. The ease with which the change was effected would seem to indicate that Protestantism had not any very deep hold upon the hearts of the mass of the population.

1617. Treatment of the Protestants in his hereditary states.

Such was the man who had been accepted by the Bohemians as their future King. He had, it is true, sworn to observe the Royal Charter, and there is no reason to doubt that he would have scrupulously kept his promise. But the Bohemian Protestants must have been very ignorant or very simple if they imagined that he would consent to the interpretation of the law which in their opinion guaranteed to them the right of building churches upon the ecclesiastical lands.

The right of church building in Bohemia.

As might have been expected, the Catholics derived new courage from the election. At Braunau, before the end of the year, the Abbot brought his long struggle with the townsmen to a close by locking the doors of the Protestant Church in the faces of the congregation. At Klostergrab a church built upon the domains of the see of Prague was pulled down by the order of the Archbishop.

1618. The Bohemian Revolution.

The news was received with indignation by the Protestant nobility. The men who had done nothing and had foreseen nothing when action and foresight would have availed them, burst into fury at what was, after all, only the natural result of their own conduct. They flocked to Prague to discuss their grievances in common with the representatives of the towns. Matthias wrote to them from Vienna, assuming the responsibility of all that had been done,* and ordering them to suspend their meetings for a time. The deputies of the towns now, as always, hesitating in their opposition to the Sovereign by whom their commercial interests were protected against the encroach-

* The letter is quoted in the *First Apology of the Bohemians.*

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ments of the aristocracy,* were inclined to obey the mandate; but the nobles were unwilling to draw back. Armed with pistols, and followed by an excited mob, the Protestant leaders, with Count Thurn at their head, made their way to the chamber where the Board of Regency, to which the government had been entrusted in the absence of Matthias, held its sittings. After a fierce altercation they seized Martinitz and Slawata, to whose counsels they attributed the prohibition of their assembly, and dragging them, together with the equally unpopular secretary Fabricius, to the window, hurled them out from a height of little less than eighty feet. By a strange fortune which pious Catholics have been accustomed to attribute to the interposition of Him without whose permission a sparrow does not fall to the ground, the three victims were able to crawl away from the spot on which they fell, and not a single life was lost.

It was a wild deed of vengeance, for which precedents culled from Bohemian history could form no justification. Yet for the moment it placed the rioters in possession of Bohemia. In a few days, after what was technically called the defenestration, the Estates had named thirty Directors to administer the Government in their name, had ordered a levy of troops to defend their privileges, and had expelled the Jesuits from the country.

Commencement of hostilities.

After this the outbreak of hostilities could not long be postponed. Troops were sent by the Directors to reduce Budweis and Pilsen, two Catholic cities which had resisted the authority of the Estates. Matthias could do no less than send assistance to those who had remained faithful to him; and, in the beginning of August Bucquoi, a general who had been summoned from Brussels to take the command of the Imperial forces, crossed the frontier of Bohemia.†

Meanwhile Matthias was looking round in every direction for help; but the prostration of Austrian rule was so complete, that the Catholic powers shrunk from in-

* In the Revolution which tore the greater parts of his dominions from Rudolph, the Moravian towns, Protestant as they were, hung back. So, too, we shall see the German towns long continuing Imperialist in the ensuing war.

† Breyer *Geschichte des* 30 *Jährigen Kriegs*, 120. A continuation of Wolf's *Maximilian I.*, and frequently quoted under that writer's name.

volving themselves in its ruin. In Hungary, in Silesia, in Moravia, in Austria itself, the nobility was almost entirely Protestant. The Duke of Bavaria, the politic Maximilian, refused to stir. The Spanish Government sent a paltry sum of a hundred thousand ducats,* and talked of sending two hundred thousand more.† If the German Protestants had been unanimous in the support of Bohemia, the huge bulk of the dominions of the German branch of the House of Austria, honeycombed as they were with disaffection, would have broken up from its own inherent weakness.

Feeling in Germany.

That the Bohemians, on the other hand, would be likely to meet with any general sympathy in Germany, was, however, far from probable. Two different tendencies of thought had been the moving agents of the men of the past century, and their influences were still living. On the one hand, there had been the spirit of religious fellowship, the conviction that identity of creed formed the strongest bond of union, and that all men were called upon to suffer and to act on behalf of their co-religionists in every part of the world. On the other hand, there had been the belief in the divine authority of Government, against intriguing priests and presbyters, and the conviction that rebellion was in itself an evil. In the first years of the seventeenth century these two views of life each found a support in one of the great parties into which German Protestantism was divided. Theological opposition to Rome formed the strength of Calvinism, whilst Lutheranism was the creed of those who regarded religion in its more secular aspect.

The Elector of Saxony.

At the head of the Lutheran states stood John George, Elector of Saxony. Spending his days in the hunting-field, and his evenings in deep carouses, from which he seldom retired sober, he had neither time nor inclination for intellectual culture. If he hated anything at all it was the turmoil of war, and the feverish excitement of Calvinism. The politics of his family had long been Imperialist. It was by the favour of one emperor that

* Equivalent to 25,000*l.* English money.

† Oñate to Philip III., Sept. $\frac{14}{24}$, 1618. *Simancas MSS.* Est. 2503. Despatch of Khevenhüller, cited by Hurter. *Geschichte Ferdinands II.* vii. 334.

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his great uncle, Maurice, had become an elector. It was by the favour of another emperor that his brother and himself had prosecuted their claims to the Duchy of Cleves. Yet sluggish and improvident as he was in political matters, it would be unfair to speak of his Imperialism as if it had been altogether personal and selfish. It resulted in part from the old feeling of attachment to the time-honoured institutions of the Empire, and in part from the belief that in them might be found a shelter against the anarchy which appeared likely to set in if nothing better than the law of the strongest was to be invoked in the disputes which might from time to time arise between the members of the Empire.

Strength of Lutheran opinion.

Nor did John George stand alone in the support which he gave to the Emperor. Wherever anarchy was feared, a public opinion was forming, which, if only the religious rights of the Protestants could be placed under an adequate safeguard, would have borne the wearer of the Imperial Crown on to an authority which his predecessors had not known for many a year. The dismal results of the weakness of Rudolph and Matthias had not been without fruit. Men were tired of hearing that German soil had been harried by foreign soldiers, and that German towns were garrisoned by Dutch or Spanish troops. They were tired, too, of the perpetual threats and rumours of war, and there could be little doubt that an Emperor who could do justice to Catholic and Protestant alike, would have won all hearts to his standard. For still the notion that the Electors and Princes of the Empire were but vassals of the Emperor, had retained its vitality, and under favourable circumstances it might have once more impressed itself upon the history of the nation.*

Its weakness.

Yet, strong as this feeling was, there was room for other considerations by its side. In remembering the rights of princes and states, the Lutheran ran no slight risk of forgetting the rights of human beings. If by no other means it was possible to prevent the desolation of

* It is a source of great confusion whenever it is assumed that the view taken of the relation between the Emperor and the Empire at this time was the same as that taken in the eighteenth century, though it is true that the ideas of the Palatine party were manifestly tending that way, if they had not already reached the point afterwards gained.

the soil, and the never-ending slaughter of defenceless citizens, in the name of religion, it might perhaps be necessary to look on whilst the masters of each territory moulded the religious worship of their subjects at their pleasure. But it was a heavy price to pay for civil order; and any one who could have struck out a larger theory would have deserved well of his contemporaries.

Policy of the Calvinists.

Unhappily the southern princes, who, with Frederick V., the young Elector Palatine, at their head, formed the main body of the Union, were not the men to give popularity to their revolt against the merely legal settlement which found favour with the Lutherans of the north. It was not amongst them that the great principles of religious liberty were likely to dawn upon the world. Wedged in between Catholic Bavaria and the Franconian bishoprics on the one side, and the states of the Rhenish bishops on the other, they lived in constant apprehension of danger. Calvinists from sheer antagonism to their neighbours, their talk was ever of war; and in their familiarity with it, it lost all its terrors. Schemes of aggression, which would have revolted the common-sense of Northern Germany, and which they were obliged carefully to conceal from the merchants of the cities of the south, were lightly talked of by these princes. It was from Heidelberg and Cassel that the idea had originated of calling in the King of France to dictate terms to Germany at his pleasure, and it was at Heidelberg and Cassel that the warmest support was given to any plan which would reduce the power of the emperor to the most complete insignificance, whilst no thought was ever wasted on the more difficult task of discovering an authority by which the legitimate action of the abased monarch might be replaced.

The Elector Palatine.

Over the fortunes of men who were steering straight towards anarchy, the youthful Frederick was most unfitted to preside. Too thoughtful to allow the world's courses to pass unheeded by him, and too much in earnest to be restrained from sacrificing himself for that which he conceived to be the good of his people and his Church, he was utterly deficient in the wisdom which alone can guide great enterprises to a successful end. Exposed by the position of his straggling territory to an

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attack from Catholic states on every side, and knowing that, as a Calvinist, he was not covered by the letter of the treaty of Augsburg, he had grown up with the thought of possible war ever present to his mind. He never forgot that he might one day have to fight for those luxuriant vineyards, whose productiveness filled with astonishment even Italians acquainted with the fertility of the rich Lombard plain, and for the proud castle which looked down upon the rushing stream of the Neckar. In the constant prospect of war, he grew impatient of the restraints of peace. His feeble intellect shed but a flickering and uncertain light upon the path which stretched out into the dark future before him. He was easily elated and easily depressed. Conscious of his weakness, he was now drifting helplessly along under the guidance of one whose will was stronger than his own. The ruler of the hour was Christian of Anhalt, whose eagerness to strike down the hated Austrian family was unrestrained by any consideration of prudence or morality.

The Saxon offer of mediation.

The characters of the two Electors were thrown into the strongest light by the reception which they severally gave to the news of the Bohemian revolution. The Elector of Saxony showed the utmost anxiety to maintain peace. To one who asked him what he meant to do, he replied simply, "Help to put out the fire." His offer of mediation was thankfully accepted by Matthias, and for some time he was able to flatter himself that he would receive the support of the Elector Palatine.

Frederick's want of plan.

The peace of Germany hung upon the decision of Frederick. Unfortunately, the question was one upon which any one might have gone astray, and on which Frederick was more likely to go astray than any one else. It is true, that to a revolution in Bohemia and in Austria, which would have followed the example of the Dutch revolution in the preceding century, no real objection could be brought; and, if there were the least chance of producing such a result, it would be far better to assist the Bohemians to total independence than to patch up an agreement with Matthias which was hardly likely to last. Of the difficulties in the way of such a settlement, Frederick was, unhappily, in complete ignorance. Of the obstacles

opposed by the character and the institutions of Bohemia he knew nothing. Still more fatally ignorant was he that, unless he could gain the good-will of Saxony, he would himself be powerless, and that any assistance which he might be able to give would be more than counterbalanced by the opposition of those who dreaded rebellion in any shape as the prelude to universal confusion. On the whole, therefore, there can be little doubt that it was his best policy to seek a close alliance with John George. The maintenance of religious liberty in Bohemia under the guarantee of Protestant Germany, would no doubt have left room for future troubles. But it was evidently attainable at the time, and any approximation between the Courts of Heidelberg and Dresden, would have been fraught with beneficent results for the whole of Germany. That such a guarantee would not have been given in vain is proved by the amount of religious liberty retained in Silesia, even after the catastrophe of 1620, through the interposition of Saxony alone.

His wild designs.

Errors of judgment, however, are too common in political life to justify any serious complaint so far against Frederick and his advisers. The really unpardonable offence which they committed was, that in the face of the gravest difficulty which any German Prince had ever been called to solve, they dared to look upon the troubles in Bohemia as a band of pilferers might look upon a fire in the streets, which, however serious it may be to others, is to them a good opportunity for filling their pockets at the expense of the sufferers and spectators.

The proposals of the Duke of Savoy.

To do Frederick justice, he was not the leader in the evil path into which he had suffered himself to be dragged by his associates. He had given the Elector of Saxony reason to understand that he was ready to join in the proposed mediation, and it would be the grossest injustice to doubt that he had the good of Germany and Bohemia at heart. But in July, a proposal* reached him from that arch intriguer, the Duke of Savoy, who happened to have

* Wake to the King, July 13, 1618. *Letters and other documents, illustrating the relations between England and Germany at the commencement of the Thirty Years' War*, 4. This collection, edited by me for the Camden Society, will be quoted as *Letters and Documents*.

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two thousand men in Germany under the command of the Count of Mansfeld, a soldier of fortune, who had been driven by personal insults to forsake the Spanish service, and who had, accordingly, vowed implacable enmity against the House of Austria. These men had been originally levied for service against Spain; but as peace had been signed, the Duke had no further use for them. He now offered, for the sake of the influence which he might gain in Germany, to continue to pay them, if the princes of the Union were willing to take them into their service. He had no doubt, he added, that the Venetians would be ready to advance large sums of money, and that the Elector would thus be able to appear at the head of an imposing force in the spring.

For a time, Frederick hung back; but the prospect was too seducing to be long resisted. Christian of Anhalt was beside himself with joy. Already he was witnessing in imagination the dismemberment of the dominions of the House of Austria; the only question in his mind, was how the spoil was to be divided. At one time it was arranged that the Duke of Savoy was to be Emperor, and that Frederick was to be King of Bohemia. The ecclesiastical princes were to be stripped of their dominions. Then there was a change of plan. The Duke thought that he would like to keep Bohemia for himself: Frederick should be the King of Hungary. He might, if he pleased, annex Alsace to the Palatinate; if events were favourable, he might even lay claim to some portions of Austria.* At first these schemes were kept from Frederick's knowledge; but he soon grew accustomed to listen to them without showing any distaste. That they were not at once rejected, goes far to explain the reluctance of the Elector of Saxony to be found in close alliance with the Calvinist Prince. It was this, too, which furnished to Ferdinand an excuse, unhappily too valid, for looking down from the height of his moral superiority upon Protestantism, as if it were only another name for selfishness and unprincipled ambition.

The four mediators.

It was not till many months after the revolution at

* Londorp. *Acta Publica*, iii. 596—621. I suppose the portions of Austria referred to are the scattered territories in Swabia.

Prague, that the preparations for mediation were completed. At the Emperor's request, the names of the Elector of Mentz and of the Duke of Bavaria had been added to those of the two Protestant Electors.

Successes of the Bohemians.

One at least of the mediators was doing his best to make mediation impossible. Not venturing to speak out plainly his opinion on the prospects of peace, Frederick was continuing, to all outward appearance, his good offices in co-operation with the Elector of Saxony, at the same time that, with the strictest injunctions to secrecy, he sent Mansfeld to the assistance of the revolutionary chiefs. Whatever the ultimate effect of such duplicity might be, the immediate result was favourable to the Bohemian cause. Pilsen was taken, and the Imperialists were driven back on every side. Before the end of the year, Budweis was the only place in Bohemia remaining in the hands of the soldiers of Matthias. Heated by these successes, and still more by the hope of further support from Heidelberg, the Directors had become more than ever averse to any terms short of complete independence.

The condition of Spain.

It was only natural that the events which were passing in Bohemia, should engage the earnest attention of the Spanish ministers. Their sympathies, religious and political, urged them to place at once their whole force at the disposal of the Emperor. But their poverty was great. How desperate the condition of the monarchy was, is best known from the celebrated report* which was at this time in course of preparation by the Council of Castile. Lerma had recently been driven from power by a palace intrigue in which his own son, the Duke of Uzeda, had taken part with Aliaga, the King's confessor. He was now in retirement, enjoying, under the shadow of a cardinal's hat, the ill-gotten wealth which he had amassed during his years of office. The opportunity was seized by the prudent statesmen, whose presence at the Council alone preserved the monarchy from ruin, to call the King's attention to the miserable condition of the country. The population of the Castiles, they said, was decreasing every day. The taxes were so heavy that it was im-

* Lafuente *Historia de España*, xv. 481. Compare the notices in the *Relazioni Venete*. Spagna.

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possible to pay them. The landowners were absentees, living at Court, and careless of the misery of their dependants. Money had been squandered with unheard of profusion by the King. The courtiers alone were enriched. The expenses of the Royal household exceeded by two-thirds the sum which had sufficed for the wants of Philip II. Impediments were thrown in the way of the sale of the produce of the soil, and of its carriage to the market. Finally, the number of the monasteries was out of all proportion to the population, and was increasing every day.

Anxiety of the Government.

Nothing was done in consequence of this representation. The men who succeeded Lerma, were busily imitating his example by filling their own purses, and had no time to think about the misery of the people. But the knowledge that such a state of things existed, could not fail in influencing the decision of the Government when it was called upon to engage in a long and expensive war.* Above all, it made them anxious to know what would be the course which England would adopt. For, whatever Castilian pride might suggest, they knew well enough that to engage in a maritime contest with England, at the same time that they were keeping on foot large armies on the Danube and in Flanders, would tax the resources of the monarchy to the uttermost. Accordingly Cottington, now again agent at Madrid, during Digby's absence in England, was asked to convey to James the assurance that his good offices in the Bohemian quarrel would readily be accepted by the King of Spain.†

Proposed mediation of James.

His reply.

To this overture, Cottington was directed to reply that, if it were true, as the Bohemians alleged, that they had been forced to take arms in defence of their lives and property from massacre and spoliation, it was impossible that the King of England could leave them to destruction. He would prefer, however, to see peace established, and he would therefore joyfully accept the proposed mediation.‡

* Cottington to Lake, June 25, 1618. *Letters and Documents*, 3.
† Naunton's Notes, Sept. 10, 1618. *Letters and Documents*, series ii. 13.
‡ Cottington to Naunton, Sept. 17. Buckingham to Gondomar, Sept. 30, 1618. *Letters and Documents*, 9, 13.

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In short, the policy of James was the same as that of the Elector of Saxony. Resembling one another in character and position, they agreed in looking with favour upon the appeal of the Bohemians for help against religious persecution, and in dislike of any popular movement which bore the slightest semblance of rebellion.

His policy compared with that of the Elector of Saxony.

Yet whatever his policy may have been, James should have remembered that his position was very different from that of the Elector of Saxony. It was not on his personal qualities, that the right of John George to be listened to in the Bohemian dispute was founded. He was a Prince of the Empire. He was the nearest neighbour of the territory where the dispute had arisen. He was well acquainted with the characters of the leaders on both sides. His religion made him the natural ally of one party; his politics made him the natural ally of the other. He could bring into the field no inconsiderable force of his own, and it was probable that his influence would enable him, if not to dispose of, at least to neutralise, the whole strength of the north of Germany.

All this was wanting to James. He was far from the scene of action, and he was utterly ignorant alike of the real nature of the quarrel, and of the real character of the disputants. What was scarcely of less consequence, with no standing army at his disposal, and no surplus in his exchequer, James would be unable to exercise any appreciable influence over the course of events in the centre of the Continent. If the two Protestant Electors were agreed, they could carry out their views without his aid. If they were at variance, his help would hardly enable either of them to dispose of the fortunes of Germany.

For all this James had no eyes. Puffed up with his own inordinate vanity, he fancied that all Europe was ready to stand aside with bated breath to listen to the decision which he had yet to form.

Danger of Spanish intervention.

If the evil consequences of James's acceptance of the proposed mediation had been limited to the expenditure of some 20,000*l.* in a bootless embassage, no one but himself would have had any right to complain. Unhappily this was not the case. The interest which the Spanish

CH. IV. 1618. Government took in the affairs of Bohemia, made it highly probable that Philip would sooner or later send succours to his kinsman, and though, even then, it would hardly be wise, in a cause in which German opinion was hopelessly divided, to give the signal for a war which would wrap the whole of the Continent in flames, it could never be either right or prudent to smooth the way for the intervention of Spain in the affairs of Germany. And that the acceptance of the mediation without obtaining a guarantee of the neutrality of Spain, was tantamount almost to an invitation to Philip to persevere in his interference, was evident to all who chose to think about the matter.

1619. Gondomar's report on English affairs.

If there could be any doubt that, at this conjuncture, a wise reticence would have had considerable effect upon the Spanish statesmen, it would be removed upon consideration of the terms in which the English Government was referred to in a memoir drawn up by Gondomar not long after his return to Madrid. In spite, he said, of the success which had attended his efforts to keep James out of the hands of the war party, it was impossible to be free from anxiety for the future. It was true that the King's exchequer was empty; but the nation was rich, and a declaration of war with Spain would immediately be followed by a large grant of money. In a few days a powerful fleet could be manned and equipped. On the other hand, at no time had the Spanish navy been so entirely unprepared for war. The sea would swarm with English privateers, and whoever was master at sea would soon be master on land. The Dutch rebels, the French Huguenots, and the German heretics, would place James at the head of a powerful confederacy, and it was impossible to say what injury he might not inflict upon the Catholic Church and the Spanish monarchy.

At any price, then, the friendship of James must be secured. With that, everything would be possible, even the reduction of England to the Catholic Church. The marriage treaty must again be set on foot. It was true that James had refused to concede religious liberty, on the plea that the consent of Parliament was needed. This was a mere excuse. Why could not James change the

religion of England as easily as his predecessors had done? The truth was, that he was a heretic at heart, and was afraid of any increase in the numbers of the English Catholics.*

Anxiety of Spain to secure the neutrality of England.

Already, before the memoir was written, the Spanish ministers had begun to put in practice those arts which, as experience had taught them, were most likely to impose upon the irresolute mind of James. On the one hand, they lost no opportunity of declaring ostentatiously their resolution to crush the Bohemian rebellion.† On the other hand, Lafuente,‡ who, having being Gondomar's confessor, had been sent back to England to watch over the interests of the Catholics, was directed to lose no opportunity of holding out hopes that the obstacles to the marriage treaty might yet be overcome.

James's formal offer of mediation.

In penning the memoir in which he had sketched out the future policy of his Government, Gondomar had had before him a letter written at James's instigation by Buckingham to Cottington, which had been placed by the English agent in the hands of the Spanish secretary Ciriza.

In this letter Cottington was ordered to assure the King of Spain that James had left unanswered the repeated applications of the Bohemians for assistance, partly because he expected to be called upon to mediate, and partly because, as yet, he had only heard one side of the question. He wished, therefore, that Philip would procure for him the Emperor's answer to their complaints. He hoped that a cessation of arms would be accorded to give time for negotiation, and that Matthias would give security that, upon receiving the submission of the Bohemians, he would leave them in the enjoyment of the free exercise of their religion. §

Even at this distance of time, it is scarcely possible to

* Consulta by Gondomar and Aliaga, Jan. $\frac{3}{13}$, 1619. *Simancas MSS.* Est. 2518. The two formed a junta for English affairs, but the paper is evidently Gondomar's production.

† Cottington to Carleton, June 25, July 16, Oct. 8, Dec. 7. Cottington to Lake, July 16, Aug. 27, Sept. 17, 26, Oct. 29, Dec. 4. Cottington to Naunton, Dec. 7, 1618. *S. P. Spain.*

‡ Commonly known in England as the Padre Maestro, which is something like calling a man "His Reverence" as a proper name.

§ Buckingham to Cottington, Nov. (?), 1618. *Letters and Documents*, 21.

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Gondomar's comments.

read Gondomar's comments upon this letter without a smile. He believed, he said, that the King of England meant well, and that he was desirous of maintaining peace. It was only from vanity that he desired to have a hand in the affairs of Germany. In the end, he would be sure to attach himself to whichever of the two parties proved the strongest. It would be well, therefore, to accept his offer of mediation. It could do nobody any harm, and it might do good; for he might learn by it to be ashamed of himself, and to use his influence on the Emperor's behalf. Ciriza had better accept the offer, taking care to treat it as if it had been a simple proposal to assist in reducing the Bohemians to obedience. At the same time, he might promise that the Spanish ambassador at Vienna would do everything in his power to facilitate the offered mediation.*

The English mediation accepted by Spain.

Accordingly, on the 22nd of January a formal letter, embodying Gondomar's suggestions, was written to Cottington by Ciriza.† At last Philip's hands were free. On the 24th, two days after his acceptance of the English mediation, he wrote to the Archduke Albert at Brussels, telling him that he had now decided upon sending assistance to the Emperor;‡ and, on the 1st of February, he sent word to Matthias that he was ready to make over to him a large sum of money, adding that, if that were not sufficient, troops should follow.§ To make sure that James should not break through the net in which he had entangled himself, it was decided that Gondomar should return to England to complete the work which he had so successfully begun.‖

Overtures from France.

The Spanish ministers may have been the more anxious to secure the neutrality of England, as they were aware that the French Government had been leaving no stone unturned to win over James to re-open the negotiations

* Consulta by Gondomar, Jan. $\frac{4}{14}$, 1619. *Letters and Documents*, 27.

† Ciriza to Cottington, $\frac{\text{Jan. 22}}{\text{Feb. 1}}$, 1619. *Letters and Documents*, 36.

‡ Philip III. to the Archduke Albert, $\frac{\text{Jan. 24}}{\text{Feb. 3}}$, 1619. *Brussels MSS.*

§ Khevenhiller, ix. 333.

‖ Consulta of the Council of State, Feb. $\frac{13}{23}$, March $\frac{12}{22}$, 1619. *Simancas MSS.* Est. 2518, 2515.

for his son's marriage with a sister of Lewis XIII.* The Princess Christina was, it was true, on the eve of her marriage with the Prince of Piedmont; but the King of England was given to understand that an offer for the hand of her sister Henrietta Maria would be highly welcome in Paris.

Dohna's embassy to England.

For the moment, the alliance of James was equally courted by all parties. Whilst Cottington was waiting at Madrid for the answer of the Spanish Government, Baron Christopher Dohna arrived in England on a special mission from the Elector Palatine.† Ostensibly he came to ask James to renew the defensive treaty with the Union, which was shortly about to expire. But his main object was to sound the King of England, in order to discover whether he was likely to give his aid to the wild schemes which had been suggested by the Duke of Savoy.

To the renewal of the treaty with the Union, James made no objection whatever.‡ But when Dohna began to hint, in cautious terms, at the possibility that upon the death of Matthias the Bohemians would proceed to elect his master in the place of Ferdinand, James cut him short at once. In the case of a legal election, he said, he would do his best to support his son-in-law. But he would not hear of any aggression upon the rights of others. "There are some of the Princes of Germany," he said, "who wish for war, in order that they may aggrandise themselves. Your master is young, and I am old. Let him follow my example." He then proceeded to quote from Virgil the lines in which the aged Latinus is represented as warning Turnus that his impetuous valour needed to be balanced by his own sober judgment.§ He

* Venetian despatch from Paris, Nov. $\frac{19}{29}$, 1618. Quoted by Cousin, *Journal des Savans*, 1861, 278. Consulta by Gondomar, Jan. $\frac{4}{14}$, 1619. *Add. MSS.* 14,015, fol. 80.

† Voigt in Raumer's *Historisches Taschenbuch*, 1853, 127.

‡ The new treaty was signed Jan. 17, and ratified May 6, 1619. *Rymer*, xvii. 160.

§ "O præstans animi juvenis, quantum ipse feroci
Virtute exsuperas, tanto me impensius æquum est
Prospicere, atque omnes *volventem* expendere casus."—*Æn.* xii. 19.
The words in italics were substituted by James or Dohna for *consulere* and *metuentem*.

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subsequently sent a message to Dohna requesting him not to forget that, if the Princes of the Union made an attack upon their neighbours, they must expect no assistance from him. He would give no help to those who were exciting the subjects of other sovereigns to revolt. Yet, within the limits of defensive warfare, he would do his best to maintain their independence. He had, unfortunately, no money to send them at present; but he would ask the Dutch to give enough to support two thousand men for a few months.*

Character of James's advice.

It was always easy for James to dip his hand into the pockets of other people. He was seldom capable of giving good advice. Yet in this instance, at least, if his counsels had been adopted, Germany would have been saved from incalculable evils. Unhappily, there was that in the form in which his advice was couched which was almost certain to frustrate his intentions. He looked upon the politics of the Continent without sympathy and without earnestness. He treated objects, for which millions of hearts were beating, in the dry style in which a chief justice would decide in Westminster Hall upon a right of way. The Bohemian Protestants were to be deserted, not because it was impossible to protect them, or because they were incapable of self-government, but because their actions had not been technically legal. The German Protestants were to be supported because their position was, or was supposed to be, technically legal. That the Court of Heidelberg, with its deep religious feeling, and its ambitious love of meddling, should be convinced by such arguments as these, was morally impossible.

The Spanish armaments.

At all events, at the very time at which Dohna was transmitting this unwelcome intelligence to his master, James was giving signs that his words were not uttered as a mere subterfuge for the sake of avoiding war at any cost. For some time he had been receiving information from Cottington, that great naval preparations were being made in every port in the Spanish Empire. From Dun-

* Naunton to Carleton, Jan. 21. The King to the Elector Palatine, July 4, 1619. *Letters and Documents*, 32, 152.

kirk to Barcelona the arsenals and dockyards were ringing with the equipment of a powerful fleet. It was said that the ships were to rendezvous in April on the coast of Sardinia, where they were to take on board a force of no less than forty thousand soldiers. Cottington was told that the armament was intended for an attack upon Algiers; and, if official documents are to be trusted, such was in reality the intention of the Spanish Government. A blow struck against the pirates at once, would obviate the necessity of admitting the hated co-operation of an English fleet in the Mediterranean.*

Alarm of the Venetians.

Such an explanation, however, would hardly be satisfactory to those who had most to fear from any fresh development of the power of Spain. The Venetians believed that the attack was in reality directed against themselves. During the whole of the past year they had been living in constant dread of Spain. The Spanish Viceroy of Naples had been carrying on hostilities against them on his own account; and a terrible conspiracy, which had been foiled by a timely discovery, was universally attributed to the instigations of the Spanish Ambassador, Bedmar. It was reported to the Council of Ten, that as Gondomar was leaving England he had concluded a conversation with Sir Henry Mainwaring, the Lieutenant of Dover Castle, with the significant words:—"It will not be long before Spanish is spoken at Venice."†

His words may have been a mere bravado; but the Republic was alarmed, and its ambassador was directed to ask James for assistance. The real object of the Spanish fleet, it was believed at Venice, was to seize the city itself, or some point upon the Venetian coast which might be made the basis of operations against Bohemia.

Naval preparations in England.

James was at once aroused. That Spain should assist the Emperor against his revolted subjects was well enough; but an attack upon Venice would be a gross violation of public

* Cottington to Naunton, Dec. 3. Cottington to Lake, Dec. 4, 1618. *S. P. Spain.* There is a bundle of papers at Simancas, relating to "the secret expedition," as it is called.

† Information given to the Council of Ten, $\frac{\text{Nov. } 30}{\text{Dec. } 10}$, 1618. *Venice MSS.* Communicazioni del Cons., di. x.

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law. A courier was at once despatched to Cottington, directing him to interrogate Philip as to his intentions. Nor were James's remonstrances confined to words. On the pretext of reviving his own preparations against the pirates, he ordered Buckingham, who had just been raised to the direction of the Admiralty, to get ready six ships of the royal navy for immediate service. Fourteen more were to be equipped by the merchants, and orders were given to the city companies to pay the 40,000*l.* which had been assessed upon them.* A few days later it was determined that the old tax of ship-money should once more be levied at the other ports; and the magistrates were accordingly directed to make up the sum of 8550*l.* amongst them.† At the same time the lords lieutenant of the counties were directed to see that the trained bands were in a good state of discipline, and that the beacons on the coast were ready for use.‡

February. The Dutch asked to co-operate.

The next step was to ask for the co-operation of the Dutch. James's plan was that the two fleets should pass the Straits of Gibraltar together, and should offer their combined assistance to the Spanish Admiral in his projected attack upon Algiers. They would thus be in a position to oppose him with superior force, if it proved

* The Council to Sir T. Smith, Jan. 17, 1619. Council Register. Lorkin to Puckering, Feb. 9; Feb. (?), 1619. *Harl. MSS.* 7002, fol. 442, 430. Carleton to Naunton, Jan. 25, 30. Naunton to Carleton, Jan. 27, Feb. 4, 1619. *S. P. Holland.* The Dutch Commissioners to the States General, $\frac{\text{Jan. 23, 30}}{\text{Feb. 2, 9}}$, 1619. *Add. MSS.* 17,677 I., fol. 380—386. Donato to the Doge, Feb. $\frac{4, 11}{14, 21}$, 1619. *Venice MSS.* Desp. Ingh. Salvetti's *News-Letters*, Jan. $\frac{21}{31}$, $\frac{\text{Jan. 28}}{\text{Feb. 7}}$, 1619.

† The Council to the Mayors and Bailiffs of the Port Towns, Feb. 7, 1619. *Council Register.* The sums assessed are interesting as showing the relative importance of the towns. London, it must be remembered, paid 40,000*l.*

Bristol	£2500	The Cinque Ports	£200
Exeter	1000	Yarmouth	200
Plymouth	1000	Ipswich	150
Dartmouth	1000	Colchester	150
Barnstaple	500	Poole	100
Hull	500	Chester	100
Weymouth	450	Lyme	100
Southampton	300		
Newcastle	300	Total	£8550

‡ The Council to the Lords Lieutenant, &c., Feb. 11, 1619. *Council Register.*

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that the hostilities against the pirates were only a cover for an attack upon Venice.*

February. Suspension of the Spanish preparations.

For once in his life James had taken timely precautions against an evil which he apprehended. For once in his life his policy was crowned with success. Before the Dutch had time to express their objections to the plan, news arrived in England that the Spanish preparations had been suspended, and that all danger in the Adriatic was at an end.†

Doncaster appointed to the Bohemian embassy.

In the meanwhile James had selected an ambassador for what he looked upon as the all-important mission to Bohemia. His choice at first fell upon Wotton, but the appointment was almost immediately cancelled in favour of Doncaster. We are left to conjecture the causes of the change. The amiable and accomplished Wotton was entirely devoid of diplomatic ability, and had been recently suspected, however unjustly, of attempting to eke out his scanty resources with a Spanish pension.‡ Doncaster, on the other hand, like all Scotchmen, was a fiery opponent of Spain, and the news of the Spanish preparations, combined with the influence of Buckingham, who, ever since his quarrel with the Howards, had been drawing nearer to the anti-Spanish party, may very possibly have lifted him into the post. If the work of mediation had been what James supposed it to be, a mere arbitration beween two parties who were only too happy to see their quarrels decided by the sentence of an English ambassador, Doncaster's courtesy and ready tact would have stood him in good stead. As it was, there was nothing to be hoped from his mission. What James needed was such a man as Digby; a shrewd, impartial spectator who would penetrate the real intentions of the various parties in the Empire, and who might perhaps have been able to put into some practical shape the

* The Dutch Commissioners to the States General, Feb. $\frac{4}{14}$, 1619. *Add. MSS.* 17,677 I., fol. 389.

† Proposition of the States Commissioners, March 5, 1619. *S. P. Holland.* Donato to the Doge, Feb. $\frac{11, 18}{21, 28}$, 1619. *Venice MSS.* Desp. Ingh.

‡ Lionello to the Doge, Aug. $\frac{1}{11}$. Contarini to the Doge, $\frac{\text{Nov. } 21}{\text{Dec. } 1}$, 1617. *Venice MSS.* Desp. Ingh.

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good intentions of his master. But to the power of divining the truth which is obscured by jarring passions, Doncaster could make no pretensions. He was sure to throw himself at once into the arms of Frederick and his ministers. He would see with the eyes, and think with the thoughts, of the Court of Heidelberg. Even if he had any idea of impartiality when he landed at Calais, he would be a thorough partisan long before he left the Palatinate.

Death of the Emperor Matthias.

The new Ambassador's departure was delayed for some time, first, by the serious illness of the King, and then by the news which reached England of the death of the Emperor Matthias.

Its consequences in Bohemia;

In Bohemia the death of the Emperor hurried on a crisis which had long been foreseen. Ferdinand at once notified his accession to those whom he still treated as his subjects, and offered to confirm all their privileges, including the Royal Charter itself. But the Directors had gone too far to retreat. They did not even vouchsafe a reply to his overtures. Though the word dethronement had not yet been formally uttered, it was plain that nothing less would satisfy the revolutionary leaders. The proposed mediation of the four Princes fell at once to the ground.

and in the Empire.

To the Empire, the death of Matthias whilst the Bohemian dispute was still undecided, was even of greater moment. The coming election had long been looked forward to as a time at which the vexed questions by which Germany was distracted might at last be settled. Few, if any, doubted that Ferdinand, as he was secure of the three Ecclesiastical votes, as well as of that of the kingdom of Bohemia, would carry the day. If it had been possible to find a candidate to oppose to him with any reasonable probability of success, the Protestants would no doubt have been wise in voting against him. But, as this was not the case, there was nothing left but to accept the unwelcome necessity, and to be content with imposing reasonable conditions on Ferdinand.

Nor would this be by any means an unsatisfactory result. If only Dresden and Heidelberg were united in their demands, not even when clothed with the whole of

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the Imperial prerogatives would Ferdinand be strong enough to resist them.

March. Position of the Elector of Saxony.

For the growing variance between the two great divisions of Protestant Germany, John George and Frederick were alike answerable. For if the Elector of Saxony took the common-sense view of the case, and preferred to treat with Ferdinand rather than to oppose him, he roused opposition in those whom he ought to have conciliated by the contemptuous indifference with which he regarded the wishes and fears of his brother Elector.

Frederick's intrigues.

On the other hand Frederick was doing everything in his power to alienate all who dreaded anarchy. At one time he had attempted in vain to induce the politic Maximilian of Bavaria to put himself forward as a candidate. He now took up again the thread of his intrigues with the Duke of Savoy.

In January he had sent Mansfeld to Turin to make arrangements for the coming attack upon the House of Austria. As the despatches came in, each one more significant than the other, telling of the great things which Charles Emmanuel was ready to do for the common cause, the Court of Heidelberg was beside itself with joy. "Now," cried out Christian of Anhalt, "we have in our hands the means of overturning the world." But when it came to putting their plans upon paper it was less easy to come to an agreement. Frederick's advisers wanted the Duke to send them large sums of money, and to be content with vague promises for the future. The Duke wanted to make sure of the Bohemian Crown, and of his election to the Empire, and to pay as little in ready money as possible. The negotiation therefore broke down completely. In April, one more attempt was made to take up its broken threads, and Christian of Anhalt was himself despatched to Turin to win over if possible the wily Charles Emmanuel by dangling before him the Imperial Crown, in hopes of inducing him to come to the point, and to concert measures for the contemplated attack upon Bohemia and the Ecclesiastical territories. But the envoy found the Duke in a less fiery mood than he expected. If he could sack Genoa, with the aid of the German Protestants, as he had hoped two years before to

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sack it with the aid of Raleigh, it would be well enough. But he held out no hopes that he would allow Frederick to make a tool of him in Germany.*

De Plessen in London.

At the same time one of Frederick's counsellors, De Plessen, was despatched to England to interest James in the scheme.† If James had had any real knowledge of German politics, he would have seen its impracticability at a glance. As it was, he ordered Sir Isaac Wake, his agent with the Duke of Savoy, who happened to be in London at the time, to return to his post. He was to warn Charles Emmanuel of the dangers which he was incurring, but at the same time to assure him of support if he could show that there was a reasonable prospect of success in his candidature for the Imperial Crown. Upon his arrival in Turin, Wake was not long in discovering that the Duke, who cared far more about annexing Milan or Genoa to his dominions than he did about the sufferings of the Bohemians, had no wish to allow his name to be used at the election, and that the intrigues from which so much had been expected, had at last come to nothing.‡

Wake's mission to Turin.

Doncaster's instructions.

In the countenance which he thus gave to his son-in-law's plans, James went as far as it was possible to go with any degree of prudence. It would have been well if he had been able to give to Frederick those wise counsels which he needed so sorely. Unhappily, to be cautious without being wise was the utmost that could be expected from him. Nowhere was his ignorance of human nature more clearly revealed than in the instructions with which Doncaster was furnished for his mission. James at least fancied that he had found a basis upon which a reconciliation was possible between Ferdinand and his revolted subjects. "Let the King," he said in effect, "keep the oath which he took at his coronation. Let the Jesuits cease to meddle with political affairs. Let all prisoners

* Compare with the original letters in *Londorp.* iii. 598 :—Uetterodt. *Ernest Graf zu Mansfeld*, 192 ; Reuss. *Graf Ernest von Mansfeld im Böhmischen Kriege*, 35 ; Villermont. *Ernest de Mansfeld*, i. 108.

† The Dutch Commissioners to the States General, May $\frac{1}{11}$, 1619. *Add. MSS.* 17,677 I., fol. 48.

‡ Wake to Buckingham, June 5, 1619. *Letters and Documents*, 107.

on both sides be released, and let the Protestants enjoy the rights and liberties to which they are entitled."* It is, indeed, difficult to conceive the state of mind of a man who could think that a deep and envenomed quarrel could be appeased by such vague generalities as these.

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Tendency of James's policy.

On the whole, however, the policy of James since the alarm of the Spanish naval preparations had been slowly drifting into opposition to Spain. At the time when Doncaster was preparing to start, orders were given to stop the equipment of the fleet on the ground that it was impossible at this conjuncture to join forces with Spain against the pirates. So hopeless did the project now appear to James, that he actually returned to the merchants the money that he had levied from them for the purpose.† What was more significant still, the Council was listening to a proposal from Arundel and Lennox to send out Roger North, one of Raleigh's captains, to the Amazon. It is true that he was not to sail to the westward of the Oyapok.‡ But even with this restriction his voyage would be extremely galling to the Spaniards. Nor can they have been otherwise than annoyed at the advancement, at Buckingham's request, of their declared enemy, the Earl of Southampton, to a seat in the Privy Council.§

May.

Doncaster sets out.

At last, after many delays, Doncaster set out upon the 12th of May. At Brussels he made a fruitless effort to procure from the Archduke more than a languid assent to his diplomatic efforts. On his arrival at Heidelberg he found that the Elector was absent at Heilbronn, presiding over an assembly of the Union. As England was represented at the meeting by Wotton, Doncaster did not think it necessary to follow him.

June.

Wotton at Heilbronn.

Wotton was then upon his way home from Venice. He had been commissioned to assure the Princes of the Union, as he passed, of the friendly dispositions of the Venetian Republic, and to urge them to join his master in a scheme

* Instructions to Doncaster, April 14, 1619. *Letters and Documents*, 64.

† The Council to Sir T. Smith, March 18. Calvert to the Council, April 8. Resolution of the Council, April 28, 1619. *Council Register.*

‡ Resolution of the Council, March 14. The Council to Coventry, March 18, 1619. *Council Register.*

§ *Council Register*, April 30. Salvetti's *News-Letter*, May $\frac{13}{23}$, 1619.

CH. IV. 1619. June. The assembly at Heilbronn.

for the erection of colleges for the reception of converts from Popery.*

For such solemn trifling the Princes of the Union had no time to spare. They were agitated by the news which reached them from various quarters. Silesia and Moravia had thrown in their lot with the Bohemian Directors, and whilst Mansfeld was keeping Bucquoi in check, Thurn, at the head of a second army, was thundering at the gates of Vienna. It was only by the iron will of Ferdinand that the Estates of Upper and Lower Austria were still kept from openly giving in their adhesion to the cause of the revolutionists at Prague. On the other hand, ten thousand Spanish troops had been levied for Ferdinand, in the Netherlands, and were cautiously picking their way across Germany from one Catholic territory to another.†

It was time for Frederick and his advisers to come to a resolution; but the curse which dogs the steps of impotent intrigue was upon them. They had alienated the Elector of Saxony by their reluctance to co-operate with him in maintaining peace. They had hoped impossibilities from the Duke of Savoy, and, when he found that they could no longer serve his purposes, the Duke of Savoy had all but laughed openly in the face of their emissary. Even the members of the Union itself had not been admitted to their confidence. Without definite aim themselves, they could not guide others. It was in vain that Maurice, the Landgrave of Hesse, the one really able man of their party, urged them to summon a general meeting of all Protestant States to deliberate upon the difficulties of the time. The Union, he truly said, was too weak to meet the danger. The permanent settlement of Germany must rest upon a wider basis. Frederick, it is true, gave his consent to Maurice's proposal, but only on the condition that the assembly should not meet till the Imperial election was over—that is to say, till it was too late to be of the slightest use. With equal reluctance either to act or to abstain from action, he persuaded the Union to place its troops on a war footing, though he

* Instructions to Wotton, March 1. Answer to Wotton, June 12, 1619. *Letters and Documents*, 46, 112. The idea had been Bacon's. Spedding, *Letters and Life*, iv. 254. † Müller, *Forschungen* iii. 162.

refused to give any indication of the purpose for which he intended the armament to be used.*

1619. June. Frederick's reception of Doncaster.

In the midst of these deliberations Frederick was summoned to Heidelberg, to meet his father-in-law's ambassador. By the Elector and his whole Court Doncaster was treated with every courtesy. In a moment he was carried away by the stream. It would have been difficult, no doubt, for any but the most seasoned diplomatist to preserve his equanimity as he listened to the Prince descanting on the perils to which he was exposed by the Spaniards and the Jesuits, or to look, without yielding to the impressions of the moment, upon the winning face of the youthful Electress, who, by the magic of her presence, swayed all hearts around her. Doncaster, at least, was not the man to note that in all that was said to him there was not a single practical suggestion—not a single sign of any definite plan. Instead of raising a warning voice against the mischief which was gathering, he told the Elector, with perfect truth, that he had come "as a sheet of white paper to receive impression from his Highness." His Highness, unhappily, had nothing worth reading to write upon it. Without the statesman's resources to avert the danger which was at his doors, he saw no prospect but war before him. How that war was to be conducted, and on what principles it was to be waged, were questions to which he had never given serious consideration. One thing alone was plain to him, that he was threatened with attack, and that it was, therefore, the duty of his father-in-law to send him the aid to which he was bound by his treaty with the Union.†

His demand for English aid.

The demand was earnestly seconded by Doncaster. The Ambassador, indeed, had as little clear conception of the object of the war as the Elector. The troops of the Union, he informed James, were to be sent "into the Upper Palatinate, under colour of defence thereof, but indeed to be employed as occasion shall offer."

Against this attempt to drag him into a war in which

* Rommel. *Gesch. von Hessen.* Theil. iv. Abtheilung iii. 349.

† The Princes of the Union to the King, June $\frac{17}{27}$. Doncaster to the King, June 18. Doncaster to Buckingham, June 18. Doncaster to Naunton, June 19, 1619. *Letters and Documents,* 115, 118, 120, 129.

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1619. July. It is refused by James.

he would never know for what he was fighting, James at once protested. It was only in case of an unprovoked attack that he was bound to assist the Union. To this unwelcome refusal, however, he added a vague assurance, that if the Bohemians were ready to yield to reasonable conditions, he would not desert them.*

June. Successes of Ferdinand.

With the view of Ferdinand's character which Doncaster had acquired at Heidelberg, it was not likely that he would be very hopeful of his chance of obtaining a favourable hearing from him. He had lost all confidence in the success of his mission. He saw well enough that, with the ill-feeling which divided the Protestant Electors, Ferdinand's election was certain, and instead of exerting himself to remove the causes of the evil, he hurried on towards Vienna to ask for a cessation of arms, in the hope, as he expressed it, of "working upon his jealousy of missing to be Emperor before he knew how safe his cards were."†

It was not merely the policy of the Court of Dresden which raised apprehensions in Doncaster's mind. Bad news from the seat of war had reached him before he started from Heidelberg. Mansfeld had been defeated in Bohemia by Bucquoi. Thurn's great enterprise against Vienna had signally failed. His blustering incapacity was equal to an assault upon the unarmed Regents at Prague, but he lost his head as soon as he was called upon to force his way into a defended town. The personal bravery which he undoubtedly possessed would serve him but little here. He counted too much on his allies within the city, and too little on himself. At the moment when Ferdinand's cause appeared most hopeless, when the Protestant nobles were pressing him with threats of vengeance if he refused to sign the act of their confederation with the Bohemians, a regiment of horse dashed in through an unguarded gate to his assistance. The malcontents dispersed in hopeless confusion, and a day or two afterwards Thurn was in full retreat.

Meeting of

Cajoled and flattered by the politic Maximilian, on his

* The King to the Princes of the Union, July 4. The King to the Elector Palatine, July 4, 1619. *Letters and Documents*, 50, 152.

† Doncaster to Naunton, June 19. *Letters and Documents*, 129.

1619. July. Ferdinand and Doncaster.

way through Munich,* Doncaster hurried on to meet Ferdinand, before worse news could reach him. He found him at Salzburg, on his way to the Imperial election at Frankfort. Ferdinand received him civilly, but gave him to understand, through one of his councillors, that as the mediation had long ago been placed in the hands of four Princes of the Empire, the King of England's offer was altogether inadmissible. Doncaster then asked whether a cessation of arms would be granted? At this the Councillor started. "It is a new proposition," he said, "out of all reason and season. His Majesty has, as it were, the Bohemians in his power." "Then," replied Doncaster, "it seems as if his Majesty will hearken to no peace but when he has need of it." To this home thrust the Councillor answered that it was impossible for his master to determine on such weighty matters in the absence of his Council. "Well, then," said Doncaster, "if his Majesty will command me, and will promise, at my coming to Frankfort, to enter upon a treaty, I will go post to the Bohemians, and bring from them the most moderate demands I can get." To this offer no answer was returned, and the conversation came to an end. An attempt made on the following day to elicit a satisfactory reply, was equally unsuccessful. He was told that he must go back to Frankfort, and that he should receive his answer there.†

Doncaster's interview with Oñate.

On his arrival at Frankfort, Doncaster sought an interview with the Spanish Ambassador, Oñate. The Spaniard justified Ferdinand in his refusal to pass over the mediation of the four Princes in favour of the King of England. "Why, then," said Doncaster, "was my master's intervention so earnestly requested by your master, if it cannot be accepted now?" To this question Oñate gave no direct reply. He talked of the danger of offending the German Princes by passing them by, and

* On receiving the King's letter, Maximilian assured Doncaster that "if God had blessed him with any children, he would have left it to them as a most precious piece, and charged them on his blessing to honour and serve his Majesty." Doncaster wrote home in praise of the Duke, and especially lauded him as not being "a Jesuited Prince." Doncaster to Naunton, July 2, 1619. *Letters and Documents*, 144.

† Doncaster to Naunton, July 9. *Letters and Documents*, 156.

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then proceeded to launch forth into a discourse on the state of the Empire. Doncaster cut him short at once. With these matters, he said, he had nothing to do. He wanted to know whether a cessation of hostilities would be granted, and he would be glad if he could have an answer on that point as soon as possible. Such an answer, he told the Spaniard, could be easily obtained if he chose to interest himself about it, as it was notorious that the men and money for the war in Bohemia were furnished by the King of Spain. Oñate replied that as soon as the election was over a cessation of arms would be granted, if only the Bohemians would allow their King to enjoy his Crown on the same conditions as his predecessors. Such an offer did not mean much, for it implied the yielding by the Bohemians of all the points in dispute. Doncaster, however, caught at the suggestion, and declared his readiness to set out at once for Prague, if the King and the Spanish Ambassador would give him their signatures to the proposal which had just been made. Oñate did not seem very eager to comply with this request, "yet," as Doncaster expressed it, "he promised fairly, but rather as it seemed out of shame to eat his own words so hot, than out of any good affection to satisfy me."

Rejection of Doncaster's offers.

A whole week passed away before Doncaster heard anything further from either Ferdinand or the Ambassador. At last a long memoir was sent him, containing a defence of the King's claims upon the allegiance of the Bohemians. The next day Oñate told him plainly that the time for a cessation of arms was past. "The victory," he said, "inclined so much to the King's party, that he was no longer in doubt of the event. There were but two ways of coming to a peace. Either the Bohemians must offer their submission, or the sword must decide the quarrel."

It was with some difficulty that Doncaster kept his temper. But discretion prevailed, and he contented himself with a diplomatic expression of regret that his mediation, undertaken at the request of the King of Spain, had not met with better success.*

* Doncaster to Oñate, July 31. Answer given to Doncaster, August 3. Memoir given to Doncaster, August 3. Doncaster to Naunton, August 7. *Letters and Documents*, 180—203.

Nor was it only at Frankfort that failure had attended the thankless task which James had undertaken. From Salzburg Doncaster had despatched one of his Secretaries to Prague, to open communications with the Bohemians. At first he was received with open arms. But as soon as it was discovered that he had neither men nor money to offer, he was treated with studied neglect, and was finally dismissed, without even the courtesy of an answer to the letter which he had brought from his master.*

1619. July. Reception of his secretary by the Bohemians.

August. Doncaster retires to Spa.

Doncaster was aware that there was nothing more for him to do at Frankfort. In order to escape the appearance of responsibility for events over which he had no control, he retired to Spa, under the pretence of drinking the waters. He wrote home that he should remain there till he received fresh orders from England.†

Fooled by the King of Spain, and repulsed with ill-concealed contempt both by Ferdinand and the Bohemian Directors, James must almost have begun to doubt the wisdom of his interference, in concert with Philip, with affairs the real bearing of which he had not given himself the trouble to understand. But even if he could have cast off for once his ingrained irresolution, events were now hurrying on in Germany with too startling a rapidity to give him time to decide upon his future course of action.

The Electoral Diet.

Already the Electoral Diet had been opened at Frankfort. The three Ecclesiastical votes were, as a matter of course, secured for Ferdinand. The Elector of Brandenburg was ready to follow submissively in the wake of the Elector Palatine. Frederick had a thousand schemes, but he had never been able to decide which he was to adopt. The only one of the Protestant Electors who came forward with a definite policy, was the Elector of Saxony. It was uncertain whether Ferdinand was legally entitled to vote, as King of Bohemia, as long as he was not in actual possession of the kingdom. John George, therefore, not unwisely directed his representative at the Diet

* Credentials and Instructions to W. Norry, July 9 ? Doncaster to Naunton, August 7. *Letters and Documents*, 188.

† Doncaster to Naunton, August 7, 16. *Letters and Documents*, 188, 205.

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to refuse to take part in the election, till an attempt had been made to put an end to the war in Bohemia. Then, and not till then, he would be ready to give his vote to Ferdinand.*

As soon as Frederick heard of the Saxon proposition, he sent Dohna to Dresden, to open communications with the Elector. Nothing but the blindest obstinacy could prevent him from accepting the hand thus offered to him. By making common cause with John George, he might have laid the foundations of a league which would have changed the whole future of the Empire; but Frederick's perversity was beyond all calculation. Dohna was instructed to revive the scheme of the candidature of the Duke of Bavaria, which had long ago been wrecked upon the absolute refusal of Maximilian. John George, who knew perfectly well that Maximilian would once more refuse to accept an advancement which would be contrary both to his principles and his interests, rejected the overture with scorn; said hard things in his cups of the folly of Dohna's master, and, in a fit of impatience, sent orders to Frankfort to record his vote unconditionally in favour of Ferdinand.† Accordingly, on the 18th of August, Ferdinand was unanimously chosen Emperor, without a single guarantee for the future. Even the representative of the Elector Palatine did not venture to vote against him. The blunder which had been committed in Bohemia in 1617, was repeated at Frankfort, in spite of the warning of the two years which were past.

Election of Ferdinand.

Frederick chosen King of Bohemia.

Scarcely were the forms of the election completed, when startling news arrived at Frankfort. On the 16th, the Bohemian Estates, who had already solemnly decreed the deposition of Ferdinand, had elected Frederick as their king in his place.‡

* Müller. *Forschungen* iii. 229.

† Müller. *Forschungen* iii. 234. Voigt in Raumer's *Historisches Taschenbuch*, 1853, 134.

‡ Müller. *Forschungen* iii. 220. The deposition is sometimes justified on the ground that Ferdinand was bound not to meddle with public affairs during the lifetime of Matthias; but a similar promise was given by Maximilian II., who presided at a diet in his father's lifetime. It seems to have been directed against a claim to actual kingship, like that put forward by the eldest son of our Henry II.

1619.

August. Hesitation of Frederick.

Frederick was at Amberg when the news of his election reached him. He had long been playing with the idea that he might one day be king of Bohemia; and his ambassador, Baron Achatius Dohna, had been actively canvassing the electors in his favour. But he had never realised to himself the meaning of the words which he used. His feeling was one of hopeless uncertainty. "I never thought that they would have gone so far," he said, when he first heard the bare news of his rival's deposition. "What shall I do if they choose me for their king?" Irresolute himself, he looked on every side for counsel. Of the Princes of the Union, three only—Prince Christian of Anhalt, the Margrave of Anspach, and the Margrave of Baden—recommended him to accept the crown. His own councillors were almost unanimous in dissuading him from giving ear to the seductive offer. If his wife, with all the fervour of a young and high spirited woman, and with all a woman's disregard of consequences, urged him to listen to that which, in her eyes, was the voice of honour and conscience, his mother, with the prudence of years, warned him against the rash and hazardous enterprise, for which neither his character nor his resources fitted him. More significant still was the opposition of Maurice of Hesse-Cassel. No bitterer enemy of the House of Austria could be found in the Empire. He would have been glad to join in a general crusade against Ferdinand. But that Frederick, who had a few days before raised no open objection to the vote which had been tendered at Frankfort by his rival, as King of Bohemia, should now seek to seat himself upon his throne, appeared to him to be subversive of all political morality.* And if it was intolerable to Maurice that the great conflict against Rome should dwindle down into a struggle for the aggrandizement of the Elector Palatine, with what eyes would the Duke of Bavaria and the Elector of Saxony be likely to regard the spectacle? Protestant as he was, John George would find it hard to look calmly on, whilst Frederick, once his equal, was lording it over the broad lands which, with scarcely an

* Menzel. *Neuere Geschichte der Deutschen*, vi. 339. Haüsser. *Geschichte der Rheinischen Pfalz*, ii. 306. Ranke. *Zur Deutschen Geschichte*, 264.

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interruption, stretched away from the banks of the Moselle to the western slopes of the Carpathians.

Objections to his acceptance.

Maurice, in truth, had hit upon the decisive point of the question. It is hard for us, amidst the changed circumstances of European politics, to estimate at its full worth the doctrine which at the commencement of the seventeenth century inculcated the divine right of territorial governments. We are apt to forget that in this imperfect belief a protection was found for the time against the anarchy which threatened to take the place of the Imperial institutions. If every prince was to be at liberty to take advantage of the rebellion of his neighbour's subjects to enlarge his own dominions, men would soon welcome Ferdinand and the Jesuits to rescue them at any price from the turmoil and confusion which was certain to ensue. If Frederick had wished to help the Bohemians to maintain their independence, he might have assisted them materially by keeping in check the forces of the Duke of Bavaria, and by thus obtaining for them a breathing-space in which to reorganize their army. But, encircled as he was by jealous rivals and lukewarm friends, his acceptance of the crown was the greatest injury he could do to their cause.

He accepts the crown.

Frederick knew not what to think. His weak and helpless mind found it impossible to weigh the value of the prudential considerations which were set before him; and, in his despair of coming to a conclusion, he clutched at the idea that by accepting the invitation of the Bohemians he was following a Divine vocation. "I beg you to believe,"* he wrote to the Duke of Bouillon, the friend and guardian of his youth, "that this resolution does not proceed from any ambitious desire to aggrandise my House; but that my only end is to serve God and his Church. I can say with truth that, as you know, I have not been eager for this, but that I have rather sought to be content with the States which God has given me; and that I have tried to hinder this election rather than to further it. It is this which gives me the greater

* The Elector Palatine to Bouillon, $\frac{\text{Sept. 24,}}{\text{Oct. 4,}}$ 1619. *Ambassade Extraordinaire de MM. les Duc d'Angoulesme, Comte de Bethune,* &c. (Paris, 1667,) 95.

assurance that it is a Divine call which I ought not to neglect." And so, with his eyes blinded, and without a thought that in those very considerations which he rejected as worldly were to be found the surest indications of Divine guidance, he plunged headlong into the darkness which was before him.

1619. Sept. August.

Dohna sent back to England.

Already, before his decision was made, Frederick had despatched Christopher Dohna to England to ask for the advice of his father-in-law. As the ambassador passed through the Hague, he received every encouragement from the Prince of Orange. In the expectation of a renewal of the war with Spain as soon as the truce expired in 1621, the States had naturally been eager to gain allies. They had sympathised heartily with the Bohemians, and had granted them a considerable subsidy. Maurice now asked Dohna whether Silesia and Moravia had consented to Frederick's election? Dohna assured him that they had. "That is something," said Maurice; "but what does the Electress say?" "She says," replied the ambassador, "that she will sell her jewels to support the war." Maurice laughed, and said, "That is not enough." He could hardly have characterised more correctly the resources of the Elector himself, than by the words "That is not enough."

Sept.

His interview with James.

Dohna found James at Bagshot. If ever there was a case for swift decision, it was this. Even now, a word might have nipped the mischief in the bud. But James found it impossible to decide. The first words which he uttered in Dohna's presence, betrayed his irresoluteness at once. "Do not expect," he said, "to return to Germany in a hurry." It was in vain that Dohna urged the importance of his advice as a reason for haste. "Your Majesty's son-in-law," he said, "has declared that he will not determine upon his course till he can hear what your opinion is." "I will consider of it," was the only response that could be drawn from James.*

* Voigt in Raumer's *Historisches Taschenbuch*, 1853, 141. Sanchez to Philip III., Sept. $\frac{17}{27}$. *Letters and Documents*, Ser. ii. 22. The King's visit to Bagshot is not mentioned in Nichols' *Progresses*; but there is a proclamation dated there on the 2nd of September; and a letter written from thence by Buckingham (*S. P. Holland*) on the 4th.

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1619. Sept.

The Council's opinion asked.

Downcast and disappointed, Dohna followed the Court to Windsor,* and finally to Wanstead. At last James was so far moved by his entreaties as to promise to consult his Council. On the 10th of September, more than a week after Dohna's arrival, Naunton, by the King's directions, laid a full account of the past negotiations before the Board,† in order to elicit from the Councillors their opinion. Great expectations had been founded on this meeting by all who wished well to the Bohemian cause. A majority, it was said, would declare in favour of supporting the Elector energetically. But before the discussion was opened, news arrived that Frederick had made his choice.‡ The time was past when their advice would be any longer of avail; and all that they could do was to refer the whole matter back again to the King. James's reply was an order to come down to Wanstead on the 12th, to hear what he had to say upon the question.

Frederick's acceptance known in London.

Language of James.

The news had been brought to Dohna with a letter which he was charged to deliver into the hands of the King. By some mistake, it was written in German instead of the usual French. As soon as he opened it, James suspected it to be a forgery of the ambassador's, concocted in the hope of bringing him to the point. For some time he refused to speak to Dohna, and kept him waiting in the garden whilst he was himself chatting with the Spanish agent, and inveighing against the heinousness of his son-in-law's offence. At last, the unlucky Dohna was sent for. James told him briefly that, as his master had chosen to take his own counsel, he must get out of his difficulties as best he could.

His speech to the Council.

On the morning of the 12th the Council met. James would not allow a single word to be spoken on his son-in-law's behalf. With his usual skill in discovering expedients which would serve as an excuse for inaction, he had come to the conclusion that the main question

* Dohna to Buckingham, Sept. $\frac{7}{17}$. *Letters and Documents*, Ser. ii. 9.

† A brief of Naunton's relation, Sept. 10. *Letters and Documents*, Ser. ii. 13.

‡ Dohna, as quoted by Voigt, says the news arrived on the 12th; but this must be from a slip of the memory.

to be decided was the legal validity of the election. There was no hurry, he said. The winter was approaching. As soon as he could make up his mind as to the justice of Frederick's cause, it would be time enough to decide what to do. Seeing that some who were listening showed signs of impatience at the announcement, he ended by reminding the Council that it was for him, and not for them, to decide upon peace or war.

Dohna leaves England.

On the 16th, Dohna took his leave. As he was going, James told him that he expected him, as soon as it was possible, to send him proofs of the legality of the election. Unless he could convince him on this head, his son-in-law must look for no assistance from England. His subjects were as dear to him as his children, and he had no mind to embroil them in an unjust and unnecessary war.*

Abbot's letter to Naunton.

On the very day, perhaps at the very hour, in which James was announcing his intentions to the Council, the English war-party found a spokesman in Abbot. From a sick-bed, which made his attendance at Wanstead impossible, the Archbishop addressed a letter to Naunton. His humble advice, he wrote, was, that there should be no hanging back. The cause was a just one. He was glad that the Bohemians had rejected that proud and bloody man. It was God who had set up the Elector in his stead to propagate the Gospel and to protect the oppressed. The kings of the earth were about to tear the whore, and to make her desolate, as had been foretold in the Revelations. He trusted, therefore, that the cause would be seriously taken up, that the world might see that they were awake to the call of God. As for the means, God would supply them. The Parliament was the old and honourable way. It would seem that God had provided the jewels left by the late Queen, that they might be used for her daughter's preservation.†

Abbot and James.

It was not a wise letter. And yet so miserably had

* Voigt, in Raumer's *Historisches Taschenbuch*, 1853, 144. —— to —— Sept. 16, 17. *Court and Times*, ii. 187. Harwood to Carleton, Sept. 14. Herbert to Carleton, Sept. 16. Chamberlain to Carleton, Oct. 2. *S. P. Dom.* cx. 59, 83, 94. Herbert's letter is erroneously calendared under the date of Sept. 26.

† Abbot to Naunton, Sept. 12. *Cabala*, 102.

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everything been mismanaged by the King, that it might well seem to an honest man to be better to be wrong with Abbot than to be right with James. In the Archbishop's policy there was gross ignorance of the forces and the designs of the Continental powers. But there was that generosity of feeling, and sympathy with the oppressed, without which no successful statesmanship is possible. It was James's misfortune, and his fault, that he never knew how to place his actions, even when they were right, upon the broad ground of principle. How could he expect to carry the nation with him, if all that he could find to say about Abbot's crusade was, that before he could decide whether he was to engage in it or not, he must devote some months to the study of the niceties of Bohemian constitutional law?

Condition of Bohemia.

In fact, the Bohemian cause was already lost. No Ziska had arisen, as in days of old, to touch the popular heart. The poor had little sympathy with what they regarded as the quarrel of the nobility. There was no general uprising of the nation from beneath, no organization from above. Everywhere there was weakness and disunion. Generals were at variance with one another, whilst their troops were unprovided with food and munition. In spite of their superiority of numbers and position, in spite of their friendly relations with the aristocracy of Hungary and Austria, the Directors saw that the whole plan of their campaign had hopelessly broken down. They had offered the crown to Frederick, not because they saw in him the man who could organize the nation, far less because there was any attraction between the Slavonians of Bohemia and the Germans of the Valley of the Rhine; but simply because he had good friends,—because he was the son-in-law of the King of England, the nephew of the Prince of Orange, and the head of the Union,—because, in short, they hoped that he would be able to induce foreign nations to do that for them which they had deplorably failed in doing for themselves.

October. Frederick leaves Heidelberg.

Frederick's acceptance of the crown thus offered to him had been the result, not of wise consideration, but of the sudden resolution of a weak mind weary of its

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own indecision. Uncertain and perplexed, he set out from Heidelberg amidst the sobs and tears of his subjects. "He is carrying the Palatinate into Bohemia," were the words which rose to his mother's lips as she saw him passing through the gate of the proud castle which had been the home of his childhood. For a time indeed, amidst the pomp of his coronation at Prague, he forgot his anxiety. Elizabeth was by his side, sprightly and hopeful as ever, and in her presence despondency was as yet impossible. Scarcely, however, was he seated upon his new throne, when he discovered how little he was able to fulfil the hopes of those by whom he had been chosen. He hurried to Nuremberg to meet that assembly which, if he had listened to the advice of Maurice of Hesse-Cassel, would have been filled with the representatives of the princes and states of all Protestant Germany. A glance round the hall of meeting, as he entered it, must have told him how completely he had lost the sympathy of his countrymen. From the Lutheran north scarcely a face was to be seen. The Calvinists of the south, it is true, still gathered round him. But no sooner did he ask for their aid in the coming campaign in Bohemia, than they intimated pretty plainly that they had no intention of drawing the sword in such a quarrel. They would defend the territory of the Union, including the Palatinate, but they would do nothing more. Disappointed and disheartened, Frederick returned to Prague to look on helplessly at the mismanagement which he was unable to correct; to waste in banquets and festivities the money that was sorely needed for the war; and to offend his Catholic and Lutheran subjects by destroying, with every mark of contumely, the images in the cathedral of Prague, which, from its situation in the midst of the Hradschin, he chose to regard as his own private chapel.

October.

November.

The assembly at Nuremberg.

Not for a moment did Frederick's narrow intellect grasp the vast proportions of the work to which he had put his hand. To reduce the seething caldron of Bohemian jealousies and passions by the exercise of a firm and orderly government; to find pay and provisions for the army, and stern discipline for the commanders,

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was but the least part of his undertaking. He had broken up the foundations upon which law and order had hitherto rested alike in Bohemia and in the Empire, and it was his imperative duty to re-establish them upon a sounder basis. Such deeds as his are indeed only to be justified by that nobler success which alone is permanent, because it does not base itself upon the flaunting glories of military power, but has its roots planted in the courage and wisdom by which the world is attracted and overawed.

Confidence of the Catholics.

The confidence which was lost to Frederick had passed over to the Catholics. They felt instinctively that their enemy was playing their game. They saw that the assistance which Frederick might have given to the Bohemians, if he had firmly resisted all temptation to aggrandise himself, it was no longer in his power to give. They saw that he had placed his own cause in the worst possible light, and that the attachment of all but the most thorough-going partizans had been sensibly cooled towards him. The old Pope perceived at a glance that Frederick had squandered away his last chance. "That prince," he said, when he heard the news of his acceptance of the crown, "has thrown himself into a fine labyrinth." "He will only be a winter-king,"* said the Jesuits. "When the summer comes he will be driven from the field."

Sept.

The Duke of Bavaria.

The leaders of the Catholic party in Germany had not been idle. As soon as he could decently leave Frankfort after his coronation, Ferdinand had hurried to Munich to consult his kinsman, the politic Maximilian. In many respects the two cousins resembled one another closely. Like Ferdinand, Maximilian was a man of deep and sincere piety. His temperate and abstemious life was the admiration of his panegyrists. But, unlike Ferdinand, he had the statesman's capacity for holding the thread of complicated affairs in the grasp of a strong

* Carleton to Chamberlain, Jan. 3, 1620. *S. P. Holland.* The epithet, "winter-king," as applied by historians to Frederick, is ridiculous, as he reigned through the summer of 1620. French writers, to escape the absurdity, call him "roi de neige," implying simply that his reign was short. The fact is, that the term was used as a prediction, like Charles Townshend's name of "the lutestring administration," applied to the first Rockingham ministry.

intellect. He knew not only what he wanted, but what were the precise steps by which it was to be obtained. He was never in a hurry; but when the time for action came, it was certain to be found that everything had been done that human ingenuity could devise to secure success. As one of his political opponents expressed it, whatever he did "had hands and feet." *

But if he was intellectually the superior of Ferdinand, Maximilian was morally his inferior. The victory of the Catholic cause was more distinctly present to his mind as the means of his own aggrandisement. He had no idea of being a disinterested champion of the Church. He had long had his eye upon Frederick's straggling provinces, and he knew that the Upper Palatinate would serve to round off his own dominions. He would have shrunk from an aggressive war for the purposes of conquest; for it was a necessity of his nature to veil his ambition under the name of justice. But if the annexation could be effected in a regular and orderly way, he would take care that no earthly consideration should baulk him of his prey.

He had long been preparing for the storm. His people were happy and contented under his rule. He had the best filled treasury and the best appointed army in Germany. The general at the head of his forces, the Walloon Tilly, was one of the ablest commanders in Europe. It was evident that, if the long-expected war broke out at last, Maximilian, and not Ferdinand, would be the presiding genius of the Catholic party.

Ferdinand's visit to Munich.

Maximilian had up to this point steadily refused to give any assistance to Ferdinand; for he knew that, if the Protestants had only been wise enough to act with common prudence, no assistance which he could bring would be of any avail. But with silent heedfulness he had observed them making one blunder after another, and he now saw that, after infinite hesitations, his rival had at last rushed upon his ruin. It remained for him to make his own terms. He had no intention of chivalrously devoting himself to the salvation of the Empire or the Church. In Ferdinand he saw an Archduke of Austria

* Memoir by Freyberg. Breyer. *Geschichte des* 30 *jährigen Kriegs*, 100.

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supplicating a Duke of Bavaria for aid. That aid he was ready to afford, but he would take care to exact the full price for his services. His expenses must be paid, and till Ferdinand could raise the money, whatever territory might be wrested from the rebels in the Archduchy of Austria by the Bavarian troops, was to remain in his hands as a pledge for the fulfilment of the contract.*

The secret compact.

If Maximilian had stopped here it would have been well both for himself and for his country. But he was determined only to use the hold which he hoped to acquire upon Austria to help forward his ambitious projects in another quarter. The Palatine House must be utterly ruined. The electoral dignity must be transferred from Frederick to himself. Frederick's dominions in whole, or in part, must be annexed to Bavaria. At this price he would be willing to relinquish his mortgage upon Austria.

To these terms Ferdinand consented.† There was nothing to shock him in the proposal. Frederick had chosen to appeal to the sword, and he must take the consequences. The extension of the Bavarian dominions to the Rhine, and the transfer of an electorate from a Protestant to a Catholic prince, would be welcome to him, not merely as opening a prospect of freeing his own dominions from invasion, but as a change good in itself. Order would be maintained in the Empire, and a firm barrier would be interposed against any future attack upon the ecclesiastical states.

Ferdinand's case against Frederick.

If the Protestant populations of the Palatinate were to be entirely disregarded, and if there had been nothing in question beyond the merits and demerits of Frederick himself, there would have been little to say against the compact thus formed. If a federal Government is to exist at all, its first duty is to prohibit all internal warfare between the members of the confederation. It is childish to argue that Ferdinand was precluded from

* Agreement between Ferdinand and Maximilian, $\frac{\text{Sept. 28}}{\text{Oct. 8}}$, 1619. Breyer. *Beilage*, iii.

† Philip III. to the Archduke Albert, $\frac{\text{Jan. 24}}{\text{Feb. 3}}$, 1620. *Letters and Documents*, Ser. ii. 154. Breyer. *Beilage*, vii. viii. ix. x.

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using his authority because he happened to be himself the prince who had been wronged. What was right for him to do in defence of the Elector of Saxony or of the Elector of Brandenburg was right to be done in defence of the King of Bohemia. Unless men were prepared to say that the imperial institutions were to be practically abolished, they could hardly, with any degree of fairness, claim for Frederick immunity from the consequences of his aggression.

The Protestant populations.

But if Frederick could not justly complain of the Munich compact, it was a terrible blow to his Protestant subjects. Of them and of their rights it took no account whatever. That religious liberty was anything more than another name for insubordination, Ferdinand was never able to conceive. For him, as for all others, the good and the evil was to bear each its own fruit. By his resolution to restrain the turbulence of Frederick, he laid the foundation of the victory of Prague. By his contempt for those rights of conscience, which could not place themselves under a technically legal guarantee, he was signing the death warrant of the imperial authority.

Character of the Thirty Years' War.

The Thirty Years' War was not, as Protestant writers delight to affirm, simply the resistance of an oppressed people to the forcible reimposition of Catholicism. Neither was it, as Catholic historians assert, the defence of legitimate order against violence and fraud. It was a mortal struggle between anarchy and despotism.

November.

The defence of Vienna.

So strong was the general feeling in favour of a compromise, which, leaving Bohemia in the hands of Ferdinand would also leave the Palatinate in the hands of Frederick, that neither Ferdinand nor Maximilian ventured to give publicity to the agreement by which they hoped to secure the permanent supremacy of their party in the Empire. Maximilian at once set about the task which he had undertaken. He dismissed Ferdinand to Vienna. The presence of the Emperor was sadly needed. Under Bethlen Gabor, the Prince of Transylvania, the Hungarians had risen in insurrection, and 25,000 men of the combined forces of Hungary and Bohemia were sweeping round the walls. But in that vast host there was not a single head capable of planning anything more

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intricate than a foraging raid or a cavalry skirmish, and in a few weeks the armies had melted away, leaving nothing behind them but the smoking ruins and devastated fields by which they marked their track. Before the end of January, Bethlen Gabor signed a truce, which guaranteed Ferdinand's eastern frontier from attack till Michaelmas.

Reconstruction of the League.

The task of throwing himself into the beleaguered city had been assigned to Ferdinand. The higher duties of statesmanship Maximilian reserved for himself. Early in December he summoned a meeting of the Catholic League. His advances were met with cordiality, and his plans for the reconstruction of the alliance were at once adopted. A force of 25,000 men, to be placed under his orders, was voted without difficulty.

Negotiations with the Elector of Saxony,

The reconstruction of the League was the smallest part of Maximilian's labours. During the whole winter he was engaged in angling for the neutrality, if not for the active co-operation, of the Elector of Saxony. John George was easily entangled. To the dangers which would ensue upon a Catholic victory he was altogether blind. To the dangers to himself and his religion, from the advancement of a Calvinist prince, he was quick-sighted enough. The voice of the Lutheran clergy summoned him to arm, lest the Antichrist of Rome should only be dethroned to make way for the worse Antichrist of Geneva.*

and with Spain.

If, as seemed not unlikely, John George should accept the advances of Maximilian, Frederick's position would be almost hopeless. But the politic Bavarian was not satisfied. To convert the probability of success into a certainty, he applied to the Court of Madrid.

Policy of Spain.

The policy of the Spanish Government was very much the same as it had been ever since the outbreak at Prague. As a matter of abstract opinion, the ministers of Philip would have been delighted to see Protestantism swept away from the whole of Europe; but they knew their own weakness, and they dreaded a long and expensive war. They had readily sent assistance to Ferdinand for

* Müller. *Forschungen*, iii. 296—378. Breyer, 263—337.

his campaign in Bohemia. But at the same time they had done their utmost to maintain peace in the west of Europe. They were especially anxious to retain the friendship of the King of England, and had even at last consented to the signature of a treaty for a joint attack upon the pirates, which would open the passage of the Straits of Gibraltar to their dreaded allies.* The news of Frederick's election filled them with additional apprehension. Too far from the centres of German opinion to know that the new king had ruined himself by the step which he had taken, they imagined that it was the preconcerted signal for a general assault upon all Catholic governments. Against such an attack they were determined to put forth their utmost strength; yet it was with no hopeful feeling that they prepared for the struggle. When at last, on the 21st of November,† Gondomar set out to return to his post in England, he was filled with the most gloomy anticipations. He had served his master, he said, for six-and-thirty years, without putting a ducat into his purse, or adding a stone to the house which had been bequeathed him by his ancestors. Now that the time of difficulty had come, he would not shrink from doing his duty; but he had no hope of being able to preserve peace with England. The religion of James consisted in a warm attachment to his own interests. He was always to be found on the strongest side, and, as the world was going now, he would not be found on the side of Spain.‡

Gondomar sets out for England.

Whatever may have been the value of Gondomar's predictions, he was certainly justified in the contempt which he expressed for the character of James. At this crisis of European history, one absorbing thought had taken possession of the mind of the King of England. Whilst all others were occupied in forecasting the future, he had no time to spare for such trivial subjects as the preservation of the German Protestants, or the main-

Doncaster sent to congratulate the Emperor.

* Consulta of the Commissioners, April $\frac{19}{29}$. Instructions to Gondomar, $\frac{\text{July } 28}{\text{Aug. } 7}$. *Simancas MSS.* Est. 2850, 2572. Treaty. Undated. *S. P. Spain.*

† Cottington to Naunton, Dec. 31. *S. P. Spain.*

‡ Gondomar to Ciriza, Nov. $\frac{11}{21}$. *Simancas MSS.* Est. 2599.

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tenance of the independence of the Palatinate. He had been seized with horror lest he should be thought capable of complicity in his son-in-law's aggression; and till his honour, as he called it, was cleared, he could think of nothing else. At every Court in Europe, the English Ambassador was obliged to make himself ridiculous by vehement protests of his master's innocence. Cottington was to give himself no rest till he had convinced the incredulous Spaniards.* Doncaster, sorely against his will, was to hurry back across half a continent to congratulate Ferdinand on his election, and to add a characteristic request, that if his master's mediation were still acceptable, time might be allowed him to study the laws and constitutions of Bohemia.†

Movement of troops in the Netherlands.

It was not likely that events would take the leisurely course which James desired to impress upon them. Even before Dohna left England, news arrived which would have convinced anyone but James that there were new complications to be dreaded, for which he would find no remedy in the Bohemian law-books. Ten thousand troops had been rapidly collected from the garrisons of the Spanish Netherlands, and it was said that they were ordered to rendezvous at Maestricht. Rumour affirmed that either immediately, or in the following summer, the Palatinate would be attacked.

The Dutch were the first to take alarm. They at once gave orders to an equal number of their own troops to occupy a position as a corps of observation on the right bank of the Rhine,‡ and they directed their ambassador, Caron, to press James to take up arms in defence of his son-in-law and his religion.§ For the moment, however, the storm blew over. The Spanish troops, it soon appeared, were directed againt the citizens of Brussels, who had hesitated to comply with a demand for increased taxation.

* Digby to Cottington, Sept. *Letters and Documents*, Ser. ii. 59.

† Instructions sent to Doncaster by Nethersole. *Letters and Documents*, Ser. ii. 57.

‡ Carleton to Naunton, Sept. 12. *Carleton Letters*, 388.

§ The States General to the King, Sept. $\frac{11}{21}$. *Letters and Documents*, Ser. ii. 19.

1619. Sept. James's irresolution.

The danger was postponed, but it was not averted. On the grave questions of public law and of public convenience, which had been evoked by the mere rumour of a Spanish invasion of the Palatinate, James was as hesitating as ever. He asked Caron to thank the States General for the promptness of their measures. As for himself, he could do nothing. He had no troops to dispose of. The winter was at hand, and would give him plenty of time for consultation. He had published to the world, in his books, his opinion about rebellion; and it would be most disreputable if he were to act in opposition to it now. Still, he could not desert his children. When Dohna returned, he might be able to find grounds for an honourable resolution in the arguments which he had been ordered to bring back from Prague.* In like manner, Doncaster was ordered to visit the Hague on his return from his mission, and to inform the States that, till his master's honour was cleared from the imputation of complicity with his son-in-law, it would be impossible for him to decide upon his future course.† The same tone pervaded the instructions which were given in January to Sir Walter Aston, the new English Ambassador at Madrid.‡

Dissatisfaction in England.

Great was the dissatisfaction in England at the course which James was taking. Partly from love of excitement and adventure, partly from genuine sympathy with German Protestantism, the whole Court, with scarcely an exception, was eager for war. The old enemies of Spain saw themselves reinforced by the giddy Buckingham, and by the Prince of Wales himself, who, silent and reserved as he usually was, did not hesitate to declare himself openly on his sister's side.§ In the cry for war they had the hearty support of the great body of the clergy, who, in matters which lay upon the ill-defined border-ground

* Caron to the States General, $\frac{\text{Sept. } 23}{\text{Oct. } 3}$. *Add. MSS.* 17,677, I. Fol. 446.

† Instructions to Doncaster, Sept. 23. *Letters and Documents*, Ser. ii. 39.

‡ Instructions to Sir W. Aston, Jan. 5. *Letters and Documents*, Ser. ii. 119.

§ Lando to the Doge, Jan. $\frac{20}{30}$. *Letters and Documents*, Ser. ii. 146.

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between politics and religion, had all the influence of the modern newspapers. It was especially a subject of complaint that they were not allowed to pray for Frederick under the title of King of Bohemia. "James," the Prince of Orange was reported to have said, "was a strange father; he would neither fight for his children nor pray for them." And the words were eagerly repeated in England with scarcely concealed bitterness.*

James and his subjects.

It would indeed have been disastrous to England if James had given the reins to the generous feelings of his subjects. It would have been madness to waste the energies of the country in an attempt to prop up the tottering throne which, in all Protestant Germany, could scarcely number a single hearty supporter beyond the limits of the Court of Heidelberg. But it was not enough to be right in his resistance to the popular feeling, unless he could lead that feeling into worthier channels. A statesman, who could have discerned the limit which separates the possible from the impossible, and who could have spoken wisely and firmly in the name of England to the enraged disputants, would soon have regained the confidence which he had lost by opposition to Quixotic enterprises. But when men looked at James and saw that he was pottering over Bohemian antiquities, and that, in the midst of the absorbing occupation of clearing his own reputation, he was altogether forgetful of the desolation with which Europe was threatened, it was impossible for them to give him credit even for what little wisdom he had.

The Meditation on the Lord's Prayer.

A curious piece of evidence has reached us, by which light is thrown upon James's state of mind at the most important crisis in his life. A year before, he had written and printed† a little book entitled, "Meditations upon the Lord's Prayer." It was a strange farrago of pious observations and of shrewd onslaughts upon his enemies the Puritans, mingled with reminiscences of the hunting-field. The whole work is conspicuously that of a man

* Hall to Carleton, Sept. 22, 1619. *S. P. Dom.* cix. 71. Nethersole to Carleton, Jan. 8, 1620. *Letters and Documents*, Ser. ii. 132.

† Early in 1619. Compare the preface with a letter from the Countess of Buckingham to her son in Goodman's *Court of James*, ii. 183.

whose buoyant spirits have never known trouble. And now, after the lapse of a year, he was writing another meditation upon the verses in St. Matthew's gospel, in which is narrated the mock coronation of the Saviour with the crown of thorns. This, he tells his son in the dedication, is the "pattern of a king's inauguration." The whole book is pervaded by a tone of melancholy. The hunting stories are gone. The jokes about the Puritans are almost entirely absent. The crown of thorns, he says, is the pattern of the crown which kings are called upon to wear. Their heads are surrounded with anxious and intricate cares. They must therefore, he adds, with a return of his old self-confidence, "exercise their wisdom in handling so wisely these knotty difficulties with so great a moderation, that too great extremity in one kind may not prove hurtful in another; but, by a musical skill, temper and turn all these discords into a sweet harmony."

The Meditation on the crown of thorns.

James's prospect of harmony was still a distant one. A diversion upon the Palatinate, by a Spanish force, occupied a large place in the Duke of Bavaria's plan for the ensuing campaign. Such a diversion would, no doubt, weaken Frederick's chances of defending Bohemia. But to Maximilian it was chiefly valuable as facilitating the projected aggrandisement of his own dominions.

1619. Maximilian's designs upon the Palatinate.

The plan was eagerly adopted by Ferdinand,* and found a warm supporter in the Archduke Albert, who replied to a hesitating suggestion of Philip's† by a recommendation to send thirty-five thousand men across the Rhine in the following spring.‡

The reception of the Archduke's letter at Madrid was by no means what Maximilian would have desired. The Spanish ministers had not ceased to dread the cost and danger of a general European war. In the Council of State opinions were freely expressed upon the Archduke's motives. Of course, it was said, the war was popular at Brussels. The stream of gold which would flow through

Discussion at Madrid on the proposed invasion.

* Breyer, 339.

† Philip III. to the Archduke Albert. $\frac{\text{Oct. 26}}{\text{Nov. 5}}$. *Letters and Documents.* Ser. ii. 86.

‡ The Archduke Albert to Philip III. $\frac{\text{Nov. 29}}{\text{Dec. 9}}$. *Brussels MSS.*

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the hands of the officials there would be welcome enough. But the King of Spain must look at the question from a different point of view.*

Opposition of Aliaga.

These sentiments derived great weight from the opposition of the King's Confessor Aliaga, who since Lerma's fall, had become the most influential personage in Spain. The same good sense which had led him to oppose the attempt to overthrow English Protestantism by the aid of a Spanish Infanta, led him to look with dissatisfaction upon a scheme which would leave Spain in a hopeless entanglement with the disputes of Germany. Khevenhüller, the Imperial Ambassador, had tried argument in vain. He at last resorted to menace. "If the Palatinate is not invaded," he said, "the Emperor will make common cause with his enemies, and will attack the outlying territories of Spain." "Such language," said Aliaga, "may cost you your life." "For the sake of the truth and the House of Austria," was Khevenhüller's magniloquent answer, "I would gladly die. I should then be better off than you, for I should be in eternal glory, whilst the deepest place in hell, deeper than that appointed for Luther and Calvin, is prepared for you."†

Philip gives way.

With the poor bigot who occupied the throne of Charles V., such words had more effect than with the patriotic priest whose first thought was of his country. Frightened at the idea of passing at his death into the company of Luther and Calvin, Philip at once gave directions that a favourable consideration should be given to

1620. January.

Maximilian's overtures, and before the end of January, he wrote to the Archduke in approval of the dismemberment of the Palatinate, and of the transference of the Electorate, either to the Duke of Bavaria, or to the Duke of Neuburg, who laid claim to it as the next of kin after Frederick's immediate relations.‡

Buwinckhausen's mission.

The details of these deliberations were veiled in pro-

* Consulta of the Council of State. $\frac{\text{Nov. } 29}{\text{Dec. } 2}$, 1619. *Simancas MSS.* Est. 712.

† Khevenhüller, ix. 702. The date is not given, but judging from the change of tone in Philip's letters, it is probable that the conversation took place about the end of December.

‡ Philip III. to the Archduke Albert, $\frac{\text{Jan. } 24}{\text{Feb. } 3}$, 1620. *Letters and Documents.* Ser. ii. 156.

found secresy. But it was notorious that negotiations were in progress of which Maximilian kept the key, and the movement of troops in the Low Countries had excited serious apprehension in Germany. The princes of the Union knew that an attack upon the Palatinate would be a crushing blow to themselves, and in January they resolved upon sending an ambassador to London and the Hague, to demand the succour to which they were entitled by the existing league, as soon as they could show that their territories were exposed to unprovoked attack.*

February. His reception in Holland.

The ambassador thus despatched was Buwinckhausen, a councillor of the Duke of Wirtemberg. He had no reason to complain of his reception in Holland. The Dutch had regularly remitted to Bohemia a contribution of 50,000 florins a month. They now promised to give a similar subsidy to the princes of the Union, and declared that, if necessity for further aid should arise, they would send four thousand men to their assistance.†

His arrival in England.

On the 21st of February, Buwinckhausen arrived in London.‡ No mission of equal importance had ever been received by James. The demand which the ambassador was directed to make may well have appeared at first sight unreasonable; it was hard that Englishmen should be called upon to shed their blood in defence of a territory which was only endangered by the senseless folly of its own rulers. But to inflict penalties for past errors is no part of a statesman's work. His duty is to frame his measures so as to produce the greatest possible amount of good, at the expense of the least possible amount of evil.

Question of the defence of the Palatinate.

It was undeniable that the occupation of the Palatinate by a Spanish force would be an evil of no ordinary magnitude. Heidelberg was the key of the Protestant position in the empire. The victory of Ferdinand in Bohemia would be a local success, and it would be nothing more. His victory on the Rhine would carry with it the dissolution of the Union, and the dissolution of the Union

* Trumbull to Carleton. Feb. 5. *Letters and Documents.* Ser. ii. 161.
† Carleton to Naunton. Feb. 17. *Letters and Documents.* Ser. ii. 169.
‡ Lando to the Doge. $\frac{\text{Feb. 25}}{\text{March 6}}$. *Venice MSS.* Desp. Ingh.

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would be followed by a struggle for the resumption of the secularised domains, and for the re-establishment of the Imperial authority over the whole of Germany. A blow would have been struck, of which every Protestant state in Europe would feel the consequences.

Nor was it likely that the sacrifices which the defence of the Palatinate would demand of James would be in any degree disproportionate to the results. If the Spaniards could be assured that war with England and Holland would be the consequence of an invasion, the military reasons for the proposed diversion would be at an end. It is evident that without the prospect of the neutrality of England, the Spanish Government would have turned a deaf ear to Maximilian's entreaties; and that they would have refused to light up the flames of a continental war merely to satisfy the Duke of Bavaria's ambition. When the struggle in Bohemia was at last brought to a close, James would have been on the way to realise the great object of his life. He would fairly have earned the honourable title of the peacemaker. The sympathies of Northern Germany which had been estranged by Frederick's acceptance of the Bohemian crown would be regained, when the only question at issue was the defence of the Protestant populations of the Palatinate from Catholic aggression. The settlement of the peace of Westphalia might have been anticipated by more than a quarter of a century.

James investigates Frederick's title.

Such statesmanship was not to be found in James. To him the merest personal questions were all in all. In the midst of the convulsions by which Europe was shaken to its centre, he fixed his eyes upon two points alone; on the fact that Frederick was his son-in-law, and on the fact that Frederick was an usurper. When he thought of one of these facts, he persuaded himself that he ought to do something. When he thought of the other, he persuaded himself that he ought to do nothing.

James had now for some weeks been busily engaged in an investigation of Frederick's title. Early in January, Doncaster had returned to England, eager to embark his master in a crusade against the Catholic powers. At the same time Dohna's brother, Achatius, had arrived to perform the duties of ambassador from the new King of

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Bohemia, and had brought with him documents by which he hoped to make good his master's claims.*

January. Dohna's arguments, however, were not left without an answer. Gondomar's confessor, Lafuente, who had been left behind in England to assist the Spanish agent in all matters requiring the help of an ecclesiastic, plied the King with reasonings on the other side. James was sadly perplexed. All he wanted, he said, was to learn the truth. He was in great strait. Affection for his own flesh and blood urged him in one direction; justice and his friendship for the House of Austria urged him in the other.†

February. At last, after two or three weeks' consideration, James announced that he had convinced himself of the groundlessness of Ferdinand's claim to reign in Bohemia by hereditary right. But he had still to consider whether the deposition of a king, once elected, was valid by the constitution of Bohemia. Buckingham and Doncaster were delighted at the progress which had been made, and Dohna, in order to strike while the iron was hot, told James that he was authorised to raise a loan of £100,000 in the City, and asked him to assist him with his recommendation. The request was met by a refusal. It was equally in vain that Buckingham asked permission to visit the Aldermen, and at least to hint that His Majesty would not be displeased if they opened their purses to his son-in-law. Dohna was therefore compelled to go in his own name, and was told, that without the King's permission the loan could not be raised.‡

Proposed loan for Bohemia.

Gray asks permission to levy troops.

Equally hesitating was James's treatment of Sir Andrew Gray, a Scotch officer in the Bohemian service, who came to ask leave to levy a regiment for his master, the expenses of which were intended to be met out of the City loan. Together with his credentials,§ he placed in the King's hands a letter from his little grandchild, in which

* Lando to the Doge, Jan. $\frac{7}{17}$, $\frac{20}{30}$. *Venice MSS.* Desp. Ingh.

† Edmondes to Carleton. Jan. 25. *S. P. Dom.* cxii. 35. Lafuente to Philip III. Feb. $\frac{4}{14}$. *Letters and Documents.* Ser. ii. 157.

‡ Nethersole to Carleton. Feb. 20. *Letters and Documents.* Ser. ii. 176.

§ Frederick to the King. Jan. 16. Elizabeth to the King. Jan. 17. *Letters and Documents.* Ser. ii. 142, 144.

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the boy had been taught to appeal in piteous terms for help. For a moment James was deeply moved. But he could not be induced to give any positive reply to Gray.* Something however, he said, should be done. He would order Trumbull, his agent at Brussels, to send in a protest to the Archduke, as soon as it appeared clearly that Spinola's army was directed against the Palatinate. To this order Trumbull respectfully replied, that by the time that he had learned positively in what direction the army was marching, it would be too late to interfere.†

Buwinckhausen's reception.

Such was the position of affairs when Buwinckhausen arrived. He soon found that his very presence irritated James. The King met him with a torrent of abuse; he would scarcely suffer him to speak, and he kept him waiting for his answer more than a fortnight. He then told him that the present danger of the princes was the result of the aggression upon Bohemia, and that he was not bound to furnish any assistance whatever.‡

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In a few days, however, James's language assumed a more favourable tone. Gray received permission to levy a thousand men in England, and a similar force in Scotland.§ Sir Robert Anstruther was ordered to get ready to go to the King of Denmark, to borrow a large sum of money; and this money was to be placed at Frederick's disposal, upon condition that it should be employed in the defence of the Palatinate.‖ At the same time, James announced that he intended to co-operate with the French in an attempt to put an end to the war in Germany.¶

Digby's policy.

It was, it would seem, in part at least, to Digby's advice that these resolutions were owing, and we shall hardly

* Salvetti's *News-Letter*. Feb. $\frac{18}{28}$, $\frac{\text{Feb. 25}}{\text{March 6}}$.

† Trumbull to Naunton. Feb. 26. *Letters and Documents.* Ser. ii. 185.

‡ Chamberlain to Carleton. Feb. 26. *S. P. Dom.* cxiii. 104. Salvetti's *News-Letter*. March $\frac{3}{13}$. Trumbull to Carleton. March 7. *Letters and Documents.* Ser. ii. 188. Lando to the Doge. March $\frac{9}{19}$. *Venice MSS.* Desp. Ingh.

§ Chamberlain to Carleton. March 11. *S. P. Dom.* cxiii. 18.

‖ Nethersole to Carleton. March 10. *S. P. Dom.* cxiii. 33.

¶ Naunton to Carleton. March 10. *S. P. Holland.*

be wrong in attributing to him the whole of a plan which would have held out the olive branch to Spain, but which would have taken care that it should be known that the olive branch concealed the sword.*

Philip's apprehension of English interference.

It is usually to little purpose to speculate on the result of events which might have happened, but there is evidence in a letter written about this time by the King of Spain to the Archduke Albert, which can hardly leave a doubt in any candid mind that a little firmness on James's part would have saved the Palatinate from invasion. "It is thought," wrote Philip, "that the invasion of the Palatinate will give the English a fair pretext for openly interfering in Germany, and for sending all their forces to the assistance of the Dutch. They will take the ground that it is one thing to assist their king's son-in-law in his attempt to seize the property of others, and another thing to protect him from the loss of his own patrimony. You will thus be attacked by the combined forces of England and Holland, and then, if we are to take part in the Bohemian war, we shall be at the expense of maintaining two armies, and we shall have to fight with England, though a war with that power has always been held

* In the following August Nethersole, in giving an account of his reception by Frederick and Elizabeth, stated that he had delivered a letter from Digby, and had said that the King, his master, "Having found my Lord Digby mistaken by some of his own people at home by occasion of his being by him employed in the affairs with Spain, and having thereupon conceived a jealousy that the same noble lord might be also misrepresented hither to their Majesties, had in that respect given me a particular commandment to assure His Majesty that he had no more nor more truly affectionate servant in England; and for proof thereof to let His Majesty understand that, whereas the Baron Dohna had, since his coming thither, obtained but three general points for His Majesty's service; to wit, the loan of money from the King of Denmark, the contributions in England of the city and country, and the sending of ambassadors to the contrary parts, that the Lord Digby had been the first propounder of all this to the King, my master, before his Majesty's ambassador or any other of his servants in England, although his lordship had been contented that other (who were but set on) should carry away the thanks and praise, because his being known to be the first mover therein might possibly weaken the credit he hath in Spain, and so render him the more unable to serve both his own master and His Majesty, in which respect I humbly prayed His Majesty also to keep this to himself." Nethersole to Calvert. Aug. 11, 1620. *S. P. Germany.* The whole passage is very instructive on Digby's character and policy. One would, however, like to know what instructions he would have given to the ambassadors. Probably very different from those which they actually received.

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by us to be most impolitic. Its inconvenience at this time will be especially great, on account of our poverty."*

It is true that Philip went on to say, that in spite of all obstacles the Palatinate must be invaded. But it may fairly be argued that if James had adopted a more manly tone, Philip's letter would have ended in a very different way.

Gondomar's return to England.

Whatever Philip or his ministers may have thought, the war party in England knew better than to trust to James's fitful manifestations of zeal on behalf of the independence of the Palatinate. They knew well that Gondomar would soon be once more amongst them, and they exhausted all their efforts in a vain endeavour to force their views upon the King, before the arrival of the dreaded Spaniard.

On the 5th of March, Gondomar landed at Dover. To the compliments of the old buccaneer, Sir Henry Mainwaring, who was now the Lieutenant of the castle, he replied by telling him that he would repay him for his courtesy by forgiving him twelve crowns out of the million which he had taken from the subjects of the King of Spain, if only he would promise to make good the rest.† The ambassador was then conducted in state to London,‡ and was lodged at the Bishop of Ely's house in Hatton Garden, which had been prepared for his accommodation by the express orders of the King. It was the first time for more than sixty years, as men bitterly reminded one another, that the chapel of an English bishop had been decked for the service of the mass.

Gondomar was scarcely settled in his new abode, when Gray's drums were heard beating in the streets. The next morning a placard, inviting volunteers to enlist, was found nailed to his door. He was far too wise to take any serious notice of the affront. The Elector, he said, had no better friend than himself, for, as soon as he had arrived, he had obtained for him that

* Philip III. to the Archduke Albert. March $\frac{15}{25}$. *Brussels MSS.*

† Mainwaring to Zouch. March 5, 6. *S. P. Dom.* cxiii. 8, 10.

‡ Salvetti's *News-Letter*. March $\frac{10}{20}$.

for which he had been for many weeks petitioning in vain.*

Much which was by no means to his taste had been done during his absence. The East India Treaty had been concluded with the Dutch, and was by this time in operation, to the detriment of Spanish interests. The Howards, his firm allies, had been driven from office. The Court was full of men to whom the very name of Spain was an abomination. Even Buckingham was in league with Pembroke and Southampton. All was lost, unless he could regain his mastery over the feeble mind of James.

His first audience.

His first audience took place on the 12th of March. He was received with a hearty welcome in the presence of the whole Court, and was asked to return the next morning for a private conference.†

As he went back to Ely House, the courtiers trooped after him, eager to know what he had to say about the troubles in Germany. With ready wit he contrived to elude their questionings, so as to avoid rousing their master's susceptibilities by telling to others what he had not as yet told to him. He took care, however, to let his dissatisfaction appear by the dryness of his answers.

Digby's remonstrance.

The next morning as he was waiting to be admitted to his audience, Digby took him aside, and appealed to him not to push matters to extremities. Spain, he said, had not a single friend in England but himself. The Court swarmed with Puritans. But he must speak plainly. The whole mischief was attributable to the conduct of the Spanish Government. His master had been anxious to repose confidence in Spain, but he had met with no response to his overtures. If he had been driven to make common cause with the Dutch in the East, it was because the Spaniards had turned a deaf ear to his offers.

The name of the Palatinate had not been mentioned. But it is plain that Digby intended to intimate that on

* Chamberlain to Carleton. March 11. *S. P. Dom.* cxiii. 18. Salvetti's *New's-Letter*. March $\frac{17}{27}$.

† Chamberlain to Careleton. March 20. *S. P. Dom.* cxiii. 32. Gondomar to Philip III. March $\frac{15}{25}$. *Simancas MSS.* Est. 2600.

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that question, too, the just demands of England must be satisfied, if James was not to be thrown into the hands of the war party. Such language from James would doubtless have had its effect; coming from Digby, Gondomar could afford to pass it by. He assumed in his reply that lofty tone which was his chief weapon. Spain, he said, had not behaved badly. Whatever blame there was lay with the King of England, who had broken the promises which he had made. It was in order to complain of his master's wrongs that he had returned to London; and he was ready to be cut in pieces in defence of the truth of his assertions.

At this point the conversation was interrupted. Digby was summoned into the King's presence, leaving the wily ambassador to congratulate himself on the probability that his words would be repeated, and would frighten James sufficiently to make his morning's work the easier.

Gondomar's second audience.

He was not mistaken. He found the King whimpering like a beaten hound. The moment he entered the room, James began to speak, as if for the purpose of stopping his mouth. "I hear," he said, "from Buckingham, that when you shook his hand you squeezed his sore finger hard enough to hurt him. I remember hearing that Lord Montague once did the same to Lord Treasurer Burghley when he had the gout." He then proceeded to interpret his parable. He was in a sad plight, and he must not be squeezed too hard. He had done everything in his power not to offend the King of Spain or the Emperor. He had tried not to do anything wrong; yet everybody was complaining of him. Four years ago he had been warned against Winwood, and now he had three hundred Winwoods in his palace. "I give you my word," he ended by saying, taking Gondomar's hand as he spoke, "as a king, as a gentleman, as a Christian, and as an honest man, that I have no wish to marry my son to any one except your master's daughter, and that I desire no alliance but that of Spain." At these words he took off his hat, as if exhausted by the effort, and wiped his heated forehead with his handkerchief.

This pitiable spectacle was enough for Gondomar. He saw that his work was done to his hand. He answered

gravely that he was very sorry for what he had just heard. He could not, however, forget that His Majesty had the power to remedy these disorders, and that words, not followed by acts, were useless.

James blushed, as well he might. "All that is needed," he said, "is that we two should talk over these matters together." The conversation then took a different turn. At last James ventured to approach the great question of the day. "Do you think," he said, "that the Emperor intends to attack the Palatinate?" "What would you do," was the answer, "if any one had taken London from you?" "Well," said James, "I hope that God will arrange everything for the best!" and with this demonstration of his helplessness he brought the audience to a close.*

James's letter to the Princes of the Union.

The effect of this conversation was not long in showing itself. The next day James despatched a letter to the Princes of the Union. No one was likely to attack them, he wrote, and he should, therefore, send them no assistance. He hoped to bring about a general pacification, which would make all warlike preparations needless.†

Buwinckhausen's demands.

Buwinckhausen was still in England. His indignation was great. "If this is the way," he said, "that the Princes are to be treated, the sooner they come to terms with the Emperor the better." He now asked for a categorical reply to certain questions. Would the Princes be allowed to levy troops in England? If they were attacked, would James fulfil his engagements? Did he mean that they were to provide for the defence of the Palatinate as well as for that of their own territories? Were they to submit to such terms as might be proposed by the French? If these included the dissolution of the Union, were they to obey?‡

The levy of volunteers accorded to the Union.

Buwinckhausen's plain speaking, supported as it doubtless was by Buckingham and the courtiers, was not without effect. James was always ready to yield to pressure, if he could give satisfaction without bringing responsi-

* Gondomar to Philip III. March $\frac{15}{25}$. *Simancas MSS.* Est. 2600.

† The King to the Princes of the Union. March 14. *Add. MSS.* 12, 485, fol. 406.

‡ Buwinckhausen to the King. March 14. *S. P. Germany.*

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bility upon himself. He now agreed to extend to the Princes the permission to levy volunteers, which had been granted to Gray in the King of Bohemia's name. Buwinckhausen asked how the expenses of the levy were to be met? "I do not wish, for many reasons," was the cautious reply, "that my name should be mentioned in the matter. But if you and Dohna will ask the city and the clergy for money, I will take care to make your way easy."*

The city loan.

Thus encouraged, Buwinckhausen and Dohna hurried to the City to ask for a loan of 100,000*l.* Again the authorities, to whom the request was made, wished to know what the King had to say upon the subject, and the Lord Mayor and the Recorder were deputed to ask the question. "I will neither command you nor entreat you," was the answer which they received from James; "but if you do anything for my son-in-law, I shall take it kindly." The matter was then referred to the wardens of the several companies, in order that they might raise their quotas from the estates belonging to the various societies. But the wardens hesitated to make themselves responsible, by the payment of public money, on so slight a security as a verbal recommendation from the King. If they could have an Act of Parliament, or even an official warrant from the Privy Council, they would see what they could do.†

The clergy asked for contributions.

To this request no satisfactory reply was given, and everything remained at a standstill in the City. The clergy, not having to deal with corporate property, were less scrupulous. A circular was issued by the Archbishop of Canterbury, and two other Bishops, requesting contributions to a loan to be placed in Dohna's hands.‡

James replies to Buwinckhausen.

It was a poor result of Buwinckhausen's mission. On the 23rd of March he was dismissed by the King with a final answer to his demands. The Princes, James said,

might levy as many volunteers as they pleased, but, for the present at least, they must expect no money from

* Lando to the Doge. $\frac{\text{March 24}}{\text{April 3}}$, 1620. *Venice MSS.* Desp. Ingh.

† Salvetti's *News-Letter*. March $\frac{17}{27}$. Chamberlain to Carleton. March 20. Nethersole to Carleton. March 21, 1620. *S. P. Dom.* cxiii. 32, 33.

‡ The Archbishop of Canterbury, &c., to the Bishop of Peterborough. March 21 (?, 1620. *S. P. Dom.* cxiii. 34.

him. He must first be assured that they had renounced all aggressive designs. If they thought it right to defend the Palatinate, he should be well pleased at their doing so. When he saw the instructions given to the French ambassadors, he would give an opinion upon them. If the Emperor's demand for a dissolution of the Union were a legal one, they had better submit to it; if not, he would help them to resist it.*

At this solemn trifling Buwinckhausen was deeply exasperated. Three times he sent back the present of plate which, as was customary at the departure of ambassadors, had been sent him by the King. At last he gave way ungraciously enough. If his Majesty was affronted, he said, he was ready to accept the gift; but he would leave it behind in Dohna's charge. He had no means to guard so much silver, and it would be conveyed more safely under the protection of the volunteers who were about to leave England for the defence of the Palatinate.†

Result of James's inaction.

James probably fancied that he had done nothing, and had incurred no responsibility. He was grievously mistaken. By his hesitating inaction, he had conveyed to Gondomar's mind the assurance that the Palatinate might be assailed without fear of interruption from England. If the Bohemian war grew into a German war, if the thirty years' war has rested as a dark blot upon the history of Europe, it is James who must share with Frederick and Maximilian the heavy responsibility which from sheer dread of responsibility he had incurred.

Resumption of the marriage treaty.

For the present, at least, Gondomar was secure of the neutrality of England. His next step was to bind more fastly the chains which he had laid upon James, by proposing the resumption of the marriage treaty. His master, he said, was anxious for the alliance, and would be ready to advance 150,000*l.* out of the Infanta's portion,

* The King's reply to Buwinckhausen. March 23, 1620. *S. P. Germany.*

† Lando to the Doge. $\frac{\text{March 24}}{\text{April 3}}$. *Venice MSS.* Desp. Ingh. Salvetti's *News-Letter.* $\frac{\text{March 24}}{\text{April 3}}$, 1620.

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as soon as the articles were agreed upon.* James swallowed the golden bait at once. He wrote to Philip, stating the the terms to which he was willing to agree. Within the walls of her husband's palace, the Princess of Wales and her servants would be allowed the free exercise of their religion. No Catholic should suffer death for conscience sake. It was impossible to repeal the penal laws, without the consent of Parliament; but they should be mitigated in practice, and all complaints should receive his most careful attention.†

It is strange that James's suspicions were not roused by Gondomar's ready acquiescence in a series of propositions so startlingly different from those which, two years before, had been put forward on behalf of the Spanish Government. The fact was, that as soon as it was known in Spain that liberty of worship was not to be secured for the English Catholics, all desire for the match had come to an end. Yet, as long as Bohemia remained unconquered, Philip could not afford to put a slight upon the King of England. The negotiations, therefore, which had been originally commenced in order that they might pave the way for the conversion of England, were now reopened with the more practicable object of cajoling James for a time into obsequiousness towards the policy of Spain. When they had served their turn, it would be easy to throw the blame of failure upon the broad shoulders of the Pope.

The pursuivants.

In one point, at least, Gondomar was able to use his influence on behalf of the unhappy Catholics. It had been found that even the moderation with which the penal laws had been recently administered had been attended by evil consequences. The recusant from whom the utmost penalty of the law had not been demanded, found himself at the mercy of a host of informers who were able to extort large sums of money from him by threats of further prosecution. Amongst these wretches the pursuivants of the Ecclesiastical Courts bore a pecu-

* Defence of the Earl of Bristol. 1624. *Tanner MSS.* lxxiii. 449. Consulta by Alliaga. July $\frac{20}{30}$. *Simancas MSS.* Est. 2518.

† The King to Philip III. April 17. Prynne's *Hidden Works of Darkness*, 8.

liarly evil name. Where a bribe was refused them, they would sweep away the plate from the sideboard, or the pearls and rubies from the jewel-box, whilst the victim, well knowing that in the eye of the law all his personal property was already forfeited, did not venture to breathe a complaint. Before he left England, Gondomar had obtained from James a promise that the mischief should be remedied. James had, no doubt, intended to keep his word. But scarcely had the ambassador crossed the channel, when the priests who had been released on the express engagement that they would never show their faces in England again, began to re-appear. James replied by ordering the law to be put in force against them, and some at least amongst their number would have been sent to the scaffold if his anger had not been appeased by the pleadings of the Spanish agent. In his displeasure against the breach of promise of which the priests had been guilty, James forgot that he had broken his own word. The exactions of the pursuivants remained without a check.*

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With Gondomar's arrival all this was changed. Commissions were issued to inquire into the misdeeds of these harpies, and to take in hand the leasing of the recusants' lands, and the compositions for offences against the penal laws. The Catholic who had satisfied the Commissioners would be free from all further molestation. The miserable trade of extortion fell to the ground at once.† At the same time, all persons who were imprisoned for refusing to take the oath of allegiance were set at liberty on condition that they would leave the kingdom within forty days.‡ These measures were a great boon to the Catholics. But it was of evil omen alike to them and to the Sovereign from whom the relief proceeded that the concessions were made, not to a

May. Concessions to the recusants.

* Digby to Buckingham, Oct. 12; Dec. 1, 1618. *Harl. MSS.* 1580, fol. 104, 102. Salvetti's *News-Letter*, Nov. 27; Dec. 10, 1618.

† Statement of the vexations inflicted upon Recusants. May. *S. P. Dom.* cxv. 9. Commission to inquire into Informers, &c. May 13. *Rymer*, xvii. 212. Commission to lease Recusants' lands. May 14. *Pat.* 18 Jac. I., Part 18.

‡ There were ten of them. Order for release, April 24. *Rymer*, xvii. 193.

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growing sense of justice, but to the representations of a foreign ambassador.

May. Expedition of Captain North.

Equally offensive to English feeling was the successful interference of Gondomar with Captain North's expedition to the Amazon. His objections were supported by Digby, who was wise enough to see that no good could come of an attempt to establish an English trade in the midst of the Spanish Indies. But North, like Raleigh, had powerful friends at Court, and before the order for stopping his voyage was issued, he had slipped out of Plymouth harbour, and was well on his way across the Atlantic. When it was too late, a proclamation was issued to arrest him, and his brother, Lord North, was imprisoned for a few days on the charge of complicity with his evasion.*

Gondomar pleads for Lake.

Even Gondomar's influence, however, had its limits. He was extremely anxious to see his old friend and pensioner Lake restored to office. But though James consented to re-admit him to Court, and to a certain degree of favour, he resolutely refused to give him back the Secretaryship.† To a request that he would show indulgence to Lady Lake, who had not yet acknowledged the justice of her sentence, he was equally deaf. "As for my Lady Lake," he said, "I must both confess to have pronounced an unjust sentence, and break my promise to my Lady Exeter in a matter of justice, if I grant her any ease at this time. Besides this cause hath no respect to religion, except the Romish religion be composed of the seven deadly sins, for I dare swear she is guilty of them all. If Spain trouble me with suits of this nature both against my justice and honour, their friendship will be more burdensome than useful to me."‡

March. The King's visit to St. Paul's.

In the meanwhile the public excitement was increasing

* Sanchez to the King, Feb. 19. Sanchez to Buckingham, Feb. 19. *S. P. Spain.* Chamberlain to Carleton, Feb. 26. *S. P. Dom.* cxii. 104. Salvetti's *News-Letter*, May $\frac{12}{22}$, $\frac{18}{28}$. Proclamation, May 15. *Rymer*, xvii. 215. The Council to the Warden of the Fleet, May 21, 1620. *Council Register.*

† Salvetti's *News-Letter*, May $\frac{18}{28}$. Woodward to Windebank, May 22. *S. P. Dom.* cxv. 50.

‡ The King to Buckingham. *Halliwell's Letters of the Kings of England*, ii. 149. The letter is without a date, but it may be safely assigned to April or May, 1620.

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as the rumours of an approaching attack upon the Palatinate acquired consistency. On the 26th of March James went in state to hear the Bishop of London preach at Paul's Cross. Various rumours were afloat as to the reason for this unusual display. Some thought that an opportunity would be taken to announce the conclusion of the marriage treaty with Spain. Others were sanguine enough to expect a declaration in favour of the Bohemians. Those who were better informed knew that James merely wished to give effect to the Bishop's appeal for contributions for the repair of the ruinous fabric of the Cathedral, and for the rebuilding of the steeple which had been destroyed by fire at the commencement of the reign of Elizabeth.*

The Bishop's sermon.

The Bishop's text was selected by the King. "Thou shalt arise and have mercy upon Zion; for the time to favour her, yea, the set time is come. For thy servants take pleasure in her stones, and favour the dust thereof." He had been strictly forbidden to touch upon the politics of the day. Yet, as he spoke of the necessity of prayer and action on behalf of the spiritual Zion, and exhorted his hearers to nourish the truth of the Gospel in every place, there were probably many present who would have responded to the words with which one of the bystanders recorded his impressions. "The Bishop," he wrote, "said that there was not the poorest hewer of wood who would not give one penny out of twopence to build up the walls of Zion. He did not, he durst not apply it; but gave every man liberty to make the application; but I believe his heart was then in Bohemia."†

As far as the immediate object of the sermon was concerned, nothing whatever was effected. The heart of many of the citizens, like the heart of their Bishop, may or may not have been in Bohemia. But, in spite of the appointment of a Commission‡ to watch over the restoration of the church, the money which had been asked for did not come in.

There were other demands upon the purses of those

* Chamberlain to Carleton, March 20. *S. P. Dom.* cxiii. 32.
† Young to Zouch, March 27. *S. P. Dom.* cxiii. 32.
‡ Commissions, April 15; Nov. 17. *Pat.* 18 Jac. I., Parts 9 and 6.

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The contribution for the Palatinate.

who had listened to the sermon. Before he left the city, James, who had now taken up warmly the idea that he might assist his son-in-law without incurring any responsibility himself, asked the Aldermen to imitate the example of the clergy, and to raise a fund by voluntary contribution for the defence of the Palatinate. The difficulty which had stood in the way of the loan would thus be avoided, as there would be no need to ask for a formal authorisation of the Council when the money was no longer to be levied out of the public property of the companies.

The step taken by the clergy had already found imitators. The Earl of Dorset had sent 500*l.* to Dohna, with an intimation that the payment would be continued for five years, if the war lasted as long. Similar offers had been made by others of the chief nobility. Still the Aldermen hung back. They were willing, they said, to give, but they disliked a renewal of the system of benevolences. Let Parliament be summoned, and it would then appear what they would do.*

At last, with some hesitation, they gave way. They were plainly told that they must not expect a Parliament, and they were unwilling to incur the responsibility of a refusal. Nominally, at least, the payment was to be voluntary. But it was soon seen that popular bodies were not slow in imitating the evil example which the Government had set. A house to house visitation made refusal difficult. Each citizen, in turn, was exhorted to show himself a good Christian by a liberal payment, and the names of those who refused to give were taken down, in order that they might be held up to public reprobation.†

April.

Yet, with all this, money came in but slowly. £100,000 had been expected. The partizans of Spain had contented themselves with predicting that the contribution would not exceed £50,000.‡ Yet, on the 28th

* Lando to the Doge, $\frac{\text{March 31}}{\text{April 10}}$. *Venice MSS.* Desp. Ingh. Nethersole to Carleton, March 21. *S. P. Dom.* cxiii. 33.

† Salvetti's *News-Letter*, $\frac{\text{March 31}}{\text{April 10}}$.

‡ Salvetti's *News-Letter*, April $\frac{7}{17}$.

of April, four weeks after the collection had been commenced, only £13,000 had been obtained.* The shortcoming may, perhaps, in some measure be attributed to the ordinary difficulties of raising money by voluntary subscription. But it can hardly be doubted that, however deeply the misfortunes of the continental Protestants were felt by individuals, the mass of the citizens was comparatively little affected by the distress of a country so distant and unknown as that mountain-girded land which had not long ago been brought upon the stage as the scene of the shipwreck of the "Winter's Tale." 1620. April.

Political suicide of James.

It was to this that James had come at last. For seventeen years he had been carrying on with the representatives of the people what he had plainly seen to be a struggle for sovereignty. The issue which was being tried was, whether England should be a Monarchy under the forms of the old constitution, or a Republic under the forms of the old monarchy. And now, at the first moment when there was a call for the fulfilment of duties as well as for the assertion of rights, it was James who struck the first blow at his own pretensions. To have adopted an erroneous policy at such a crisis, would have been bad enough. But to have no policy at all,—to drift helplessly from side to side as the various arguments were presented to him that lay upon the outside of the problem into the heart of which he was unable to look, and finally to throw the burden of decision and of action upon mayors and aldermen, upon country gentlemen and country clergymen,—was an act of political suicide. By his own mouth, James had declared himself incapable of giving any guidance to the nation.

* Lando to the Doge, $\frac{\text{April 28}}{\text{May 8}}$. *Venice MSS.* Desp. Ingh. Salvetti's *News-Letter*, $\frac{\text{April 28}}{\text{May 8}}$.

CHAPTER V.

THE INVASION OF THE PALATINATE.

CH. V.

1620.

April.

James's varying language.

DURING the weeks in which the fate of the Continent was being decided at Munich and Brussels, James presented a pitiable spectacle. One day he was stirred to passion by a rumour that his son-in-law had invited the Turks into Hungary. "If that be the case," he said, "I will myself declare war against him; and, if I die, my bones shall be carried in front of the army which is to attack him."* A few days afterwards he was calmly discussing the prospects of the mediation which he was about to undertake in conjunction with the French.† If he were to do more than this, he said, fresh provocation would be given to the Catholic powers, and they would enter into a closer confederacy than ever.‡

Fresh application from the Union.

Such a view of the case was not likely to commend itself to the Princes of the Union. Once more, towards the end of April, they applied to James for aid. The Duke of Bavaria, it was now known, had come to terms with the Elector of Saxony, and they had every reason to fear the worst. But nothing could stir James from his apathy. In private he assured Dohna that if the princes were really attacked, he would send twenty or thirty thousand men to help them; whilst to the princes themselves he replied by a long scolding letter, warning them not to make an unprovoked assault upon their neighbours, and entirely omitting all reference to the

* Tillieres' Despatch, April $\frac{6}{16}$. Raumer, *Briefe aus Paris*, ii. 299.

† The King to the Duke of Lorraine, April 12. *Add. MSS.* 12,485, fol. 42.

‡ Tillieres' Despatch, April $\frac{16}{26}$. Raumer, *Briefe aus Paris*, ii. 300.

point at issue,—the anticipated invasion of the Palatinate.*

1620. May. James's conversation with Gondomar.

In Gondomar's presence his tone was more miserable still. Under the firm eye of the Spanish diplomatist, everything was forgotten excepting the wickedness of his son-in-law's usurpation. "You have good cause," he one day said to him, "to complain of the treatment of the English Catholics, of Captain North's voyage, and of the aid which has been given to the Palatinate. But it is not my fault. It is all the doing of the traitors around me. For the wrongs of the Catholics you must lay the blame upon the Archbishop, who is a godless Puritan. North was permitted to escape by that traitor Buckingham. He is young and inexperienced, and he sold him a passport." Buckingham was then called into the room. "George," said the King, "why did you sell a passport without telling me?" "Because," answered Buckingham in the same jesting tone, "you never give me any money yourself." James pulled his hair, kissed him twice, and told him to leave the room.

All this was sufficiently undignified; but its impolicy was nothing to what followed. "The Palatine," said James, "is a godless man, and a usurper. I will give him no help. It is much more reasonable that he, young as he is, should listen to an old man like me, and do what is right by surrendering Bohemia, than that I should be involved in a bad cause. The Princes of the Union want my help; but I give you my word that they shall not have it."† After this it is not strange that Gondomar wrote to his master to strike the blow at once.‡

He is urged to defend the Palatinate.

Such language as this was not likely to pass unchallenged. James was daily urged by the war-party to issue a declaration of his intention to preserve from invasion the hereditary dominions of his son-in-law. Let an army of ten or twelve thousand men, they said, be sent to

* The King to the Princes of the Union, May 22. *S. P. Germany.*

† Tillieres' Despatch, $\frac{\text{May 26}}{\text{June 5,}}$ 1620. Raumer, *Briefe aus Paris*, ii. 300.

‡ Gondomar to Philip III., June $\frac{8}{18}$, 1620. *Simancas MSS.* Est. 2601.

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Heidelberg or Mannheim, with strict orders to take no part in the struggle in Bohemia. If this were impossible, let a garrison of a thousand men be thrown into Heidelberg, which, by the mere presence of the English flag, would be enough to deter the Spaniards from their purpose.

His refusal.

The proposal was certain to be rejected by James. It was the more unpalatable to him, as he was asked to give the command of the force to Southampton, whom he thoroughly detested.* As usual he fell back upon half measures. He would allow Dohna, if he wished it, to levy a body of volunteers at his own cost, and to issue a circular to the whole kingdom, calling upon the gentry to imitate the example of the London citizens by contributing to the expenses of the force.† He would think seriously of sending ambassadors to bring about a pacification, and he would order Trumbull to put a direct question to the Archduke Albert as to the future movements of the army which was preparing to take the field under Spinola's command.

The general contribution and the volunteers for the Palatinate.

June. Letter of the Archduke Albert.

Gondomar had no reason to be dissatisfied. If, for form's sake, he uttered loud protests against the enrolment of the volunteers, he was inwardly congratulating himself upon this fresh evidence of James's weakness.‡ The fears of English intervention, which had been the object of such consultation at Madrid in the previous year, had long ceased to be seriously entertained. The Court of Brussels had learned to treat James as disrespectfully as Gondomar himself had ever done. It was not till the 19th of June that the Archduke deigned to reply to Trumbull's inquiries. He had always been desirous, he said, to remain on good terms with the King of England. He hoped, therefore, that in order that no jealousy might spring up between them, James would persuade his son-in-law to submit to reason. Such an

* Gondomar to Philip III., June $\frac{8,\ \text{June } 27}{18,\ \text{July } 7}$. *Simancas MSS.* Est. 2601. Dohna to Packer, May 27, 1620. *S. P. Germany.*

† Dohna to the Lord Lieutenant of Northampton, May 31, 1620. *S. P. Germany.*

‡ Buckingham to Gondomar, June $\frac{20}{30}$. Gondomar to Philip III., $\frac{\text{June } 27}{\text{July } 7}$. *Simancas MSS.* Est. 2601,

answer, in which all mention of the invasion of the Palatinate was as carefully avoided as it had been by James in his letter to the Princes of the Union, could leave no doubt in any reasonable mind what the Spanish intentions were.*

The Dutch offers.

To the Dutch, at least, no doubt was any longer possible. James, as his manner was, had asked them to defend the Palatinate, without signifying any intention of taking a direct part in the war himself. They replied that they could do nothing alone. Twelve thousand men were the utmost that they could spare. If James would send but six thousand Englishmen, a sufficient force would be collected to enable the Princes of the Union to defend themselves. Less than this would be entirely useless.† A few days later, on the very day on which the Archduke was replying to Trumbull at Brussels, Carleton was able to forward to Naunton a detailed list of the forces which the Dutch offered to bring into the field. "What more," wrote Carleton, with scarcely concealed irony, "can be from hence,—I say not expected, —but desired. I will make no doubt but if his Majesty lay this aside in his wisdom, he seeth other ways to attain to the same end. Kings are gods upon earth, and they have this property, to see when mortals are fearful beyond measure; but in the mean time, those must be pardoned for their fear and apprehension, who know no more than I do."‡

They are refused by the King.

To this appeal Naunton's reply was most desponding. James had just arrived from a hard day in the saddle when Carleton's despatch was placed in his hands. He was much obliged to the Dutch, he said, for their offers; but he supposed that they only wanted to entangle him in some engagement. Perhaps they had not heard that he had allowed volunteers to be levied for the Palatinate. Naunton pointed to a paragraph which showed that they were perfectly aware of this; but that they thought that the small force that could in this way be raised would be

* Trumbull to Naunton, June 17—21. The Archduke Albert to the King, June 19, 1620. *S. P. Flanders.*

† Carleton to Naunton, June 12. *Carleton Letters*, 469. Carleton to the King, June 14, 1620. *S. P. Holland.*

‡ Carleton to Naunton, June 19, 1620. *S. P. Holland.*

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entirely useless. James fell back upon his old excuses. He was quite sure that Spinola would march straight for Bohemia without meddling with the Palatinate. Even if the Dutch were in the right, what could he do more than had been done already? They talked of supplying him with munitions of war. He did not see anything in their letter about supplying him with money. If they would do that, they might have as many English volunteers as they pleased.*

The news from the East Indies.

It was something more than his usual love of inaction which at this moment embittered James against the Dutch. News had recently arrived† of the outrages committed upon English vessels in the East, in spite of the knowledge of the opening of the conference in London. The King had been deeply irritated, and he had been encouraged in his irritation by Buckingham. For Buckingham, to whom political motives were as nothing in comparison with personal motives, saw in the sufferings of the English sailors an insult to himself as Lord High Admiral of England.

Buckingham's desertion of the war party.

Suddenly the war-party discovered that their powerful advocate was growing cool in the cause. Only a few weeks had passed since the King had been hardly able to restrain him from heading the list of contributions to the defence of the Palatinate with a magnificent donation of £10,000, and now he was deep in the confidence of Gondomar, and responding eagerly to the hard things which it pleased the Spaniard to say about Frederick and his partizans. In return, he was compelled to listen to language long unheard, and to know that the men who had been his staunch friends in his contest with the Howards, were murmuring against his exorbitant influence over the King.‡

Buckingham's courtship of Lady Catherine Manners.

To some extent, perhaps, Buckingham's change of temper,—it can hardly be dignified with the name of a change of policy,—may be attributed to his recent marriage with a Roman Catholic lady. His match-making

* Naunton to Carleton, June 26. *S. P. Holland.*

† About the Middle of May. Woodward to Windebank, May 22. *S. P. Dom.* cxv. 50.

‡ Gondomar to Philip III., $\frac{\text{June } 27}{\text{July } 7}$. *Simancas MSS.* Est. 2601.

mother had suggested to him that he would find a suitable wife in Lady Catherine Manners, the daughter of the Earl of Rutland. Her high birth would cast a lustre upon the son of a Leicestershire squire; and it was to be hoped that the child of the wealthiest nobleman in England would bring with her a portion such as was rarely to be found to the west of Temple Bar. Yet Lady Buckingham acted as though she were conferring rather than asking a favour. Her terms were high. She must have £10,000 in ready money, and land worth £4000 a-year. Yet strange as she probably thought it, the Earl showed no anxiety to strike a bargain. He was himself a strict Roman Catholic, and Lady Catherine had been educated in her father's creed. To make matters worse, the King openly declared that his favourite should not marry a recusant. Buckingham's wife, he said, must go to church.*

Rise of Williams.

There happened to be a man about the Court who now saw his own opportunity in Lady Buckingham's difficulties. John Williams, the youngest son of a Welsh gentleman, had come up to Cambridge to study, had taken orders, and had attracted Ellesmere's notice by his ability. The Chancellor had made him his chaplain. When Ellesmere died, Bacon offered to renew the appointment, but Williams, whose ambition was not satisfied with his position, declined the offer, and, through the influence of Bishop Montague, obtained a nomination as one of the royal chaplains. From that moment his fortune was made. He was the very man to win James's favour. He was not only an immense reader, but a ready and fluent talker. Multifarious as were the subjects which James loved to chat over, Williams was at home amongst them all. On the last work of Bellarmin, the latest news from Heidelberg or Vienna, or the newest scandal at Court, he had always something to say, and that something was sure to please. Amongst the minor difficulties of statesmanship his shrewdness was seldom at fault. His

* Brent to Carleton, Aug. 20, 1619. Nethersole to Carleton, Jan. 20, 1620. *S. P. Dom.* cx. 22; cxii. 20. Salvetti's *News-Letter*, Jan 28, Feb. 11, Feb. 7, „ 21, Feb. 25 March 4

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eye was quick to discern the narrow path of safety. But his intellect was keen, without being strong. In those powers of imagination which distinguish genius from talent he was entirely deficient. He was of the earth, earthy. The existence of any firm belief either religious or political was altogether incomprehensible to him, and after years of experience he dashed himself to pieces against the peristent singlemindedness of Laud, and the no less persistent singlemindedness of the Puritans of the Long Parliament, as a bird dashes itself against a window pane from very ignorance that it is there.

His intervention in favour of the marriage.

For the present, however, the way was clear before him. He soon became indispensable to the King. One day James dropped a hint that, if he wished to rise at Court, he had better secure a place in Buckingham's regard. Upon this hint Williams acted. Belvoir Castle was not far from his rectory of Walgrave, and he was already known to the Earl of Rutland. He used what influence he possessed to smooth down the difficulties in the way of the match. Long afterwards, he was accustomed to boast that it was owing to his intervention that Lady Buckingham's exorbitant demands were finally conceded. But it is not probable that he had much to do with the matter. Upon the death of her brother in March, Lady Catherine was left the only surviving child of the Earl. Under these circumstances it hardly needed Williams's persuasive tongue to urge him to make over a larger portion to his daughter than he would have been willing to do in his son's lifetime.

His interviews with Lady Catherine.

The religious difficulty was still unsolved, and to this Williams now applied himself. He was not despondent. He knew that Lady Catherine was deeply in love with Buckingham, and that she only wanted an excuse to yield. The method which he adopted was characteristic of himself. A Puritan would have denounced the Pope as Antichrist. Laud would have protested against the burden which the Church of Rome was laying upon the conscience by imposing its own traditions as articles of faith. Williams took the easier course of praising the catechism, and of pointing out the excellence of the forms under which the marriage service was conducted. For

the moment his success was all that could be desired. Whether the conversion which he effected was likely to be permanent was a question which he, perhaps, hardly cared to ask.*

Quarrel between Buckingham and Rutland.

Still, however, there were obstacles in the way of the marriage. Rutland was deeply irritated at the possibility of his daughter's apostasy. Whilst he was in this mood he was told that the young lady had left the house in the morning in company with Lady Buckingham, and had not returned at night. The fact seems to have been that she had been taken ill, and had been kept by Lady Buckingham in her own apartment till the next morning.† But the angry father was not to be convinced. His daughter, he fancied, having first abandoned her religion, had consummated her guilt by sacrificing her own chastity and the honour of her family to the impatience of her lover. He refused to admit her again into his house, and forced her to take refuge with Lady Buckingham. Upon Buckingham himself he poured out his indignation in no measured terms. But for the intervention of the Prince, the two noblemen would have come to blows.‡ Rutland insisted that the marriage should take place immediately, as the only way to clear his daughter's fame. Buckingham replied that Lady Catherine's fame was safe from everything except her father's tongue; and that, if he was to be spoken to in such a style as this, he would have nothing more to do with the match.§ When he was by himself, Buckingham was inclined to treat the whole affair as a jest. He drew up a petition on the subject, which he presented to the King. "I most humbly beseech your Majesty," he wrote, "that, for the preserving me from the foul blemish of unthankfulness, you would lay a strait charge upon my Lord of Rutland to call home his daughter again, or at least I

* Hacket, *Life of Williams*, 41.

† This was the story told by Lady Buckingham, and judging by her son's language afterwards, I see no reason to doubt its accuracy. Sir. E. Zouch to Lord Zouch, March 23. *S. P. Dom.* cxiii. 38.

‡ Salvetti's *News-Letter*, $\frac{\text{March 24}}{\text{April 3}}$.

§ Buckingham to Rutland, March (?) Goodman, *Court of King James*, ii. 191.

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1620. March. may be secured that in case I should marry her, I may have so much respite of time given me as I may see one act of wisdom in the foresaid lord, as may put me in hope that of his stock I may sometime beget one able to serve you in some mean employment." *

May. Buckingham's marriage. To all this there was only one ending possible. Lady Catherine declared that she was convinced by the arguments which she had heard, and received the communion according to the rites of the English Church.† On the 16th of May the couple were married by Williams. After all that had passed, it was thought inexpedient that there should be any public festivities, and no one but the King and the bride's father were present at the wedding.‡ Williams received the deanery of Westminster in reward for his services.

Buckingham intends Cecil to command the volunteers. Whether Buckingham's marriage had any part in his desertion of the popular party is a matter of conjecture. But there can be no doubt that at this time his vanity had conceived a special irritation against Frederick. He had been annoyed, because, in the midst of his multifarious occupations, the new King of Bohemia had not found time to write to him.§ A fresh offence had now been added. As long as it was supposed that James might be induced to send troops in his own name into the Palatinate, the favourite had been besieged with applications for the command. He had engaged to give his support to Sir Edward Cecil, a son of the Earl of Exeter, whose family had stood by him in his contest with the Howards. The choice, however, of a commander was no longer in the hands of the King, and Dohna declined to entrust his master's forces to Cecil.

June. Appointment of Vere. The Ambassador's choice fell upon Sir Horace Vere, who had not even asked for the appointment. It seems that Dohna had private reasons for passing over Cecil, who had, in some way or another, given personal offence

* Buckingham to the King, March (?). *Harl. MSS.* 6986, fol. 112.
† Chamberlain to Carleton, April 29. *S. P. Dom.* cxiii. 92.
‡ "Si tiene segreto per taciti respetti." Salvetti's *News-Letter*, June $\frac{1}{11}$.
§ Nethersole to Buckingham, Aug. 11. *S. P. Germany.*

to Elizabeth.* But his decision was fully justified upon military grounds. Both Vere and Cecil had long served in the army of the States, and Cecil had commanded the English contingent at the seige of Juliers. But such was Vere's reputation as the first English soldier of the day that, as soon as his appointment was known, the foremost of the young nobility were pressing forward for the honour of serving as subordinates under so distinguished a captain.

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Vere's military capacity was his smallest qualification for command. To perform his duty strictly, and to allow no personal disputes or vanities to distract him, were the objects which he set before him.

July. Quarrel between Cecil and Dohna.

It was not long before Cecil justified Dohna's wisdom in rejecting him. His own imagination had already placed him in command of the expedition. Secure of Buckingham's good word, he had gone about prating of the honours in store for him, and had even distributed commissions amongst his friends. Furious at his disappointment, he vented his ill-humour upon Dohna, assailed him with unseemly abuse, and gave him to understand that it was only by his character as an ambassador that he was protected from a demand for personal satisfaction. Buckingham took the matter up warmly, and, as his manner was, treated the rejection of his nominee as a personal insult to himself. The estrangement between the volatile favourite and the popular party was complete.†

June. Buckingham complains to Gondomar.

By this time Gondomar must have formed a tolerably correct estimate of Buckingham's character. Yet even Gondomar can scarcely have been prepared for the overtures made to him. One day, in the second or third week in June, when Buckingham, bringing Digby with him, came to pay him a private visit, Buckingham was greatly excited. He began to talk about the treatment of the English sailors in the East. He was obliged, he said, for very shame, to go about the streets in a covered chair. "It is all your fault," was Gondomar's reply,

* Young to Zouch, June 14. *S. P. Dom.* cxv. 73. Roe to Elizabeth, June 7. *S. P. Germany.* Vere to Carleton, June 14. *S. P. Holland.*

† Account by Dohna of his conversation with Cecil, July (?). Cecil's account, July 31. Cecil to Buckingham, July 31 (?). *S. P. Holland.*

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"and the fault of your master. The Dutch have robbed England of her fisheries, of her trade, and of her gold. The next thing they will do will be to carry off the country itself and to make a republic of it." The words had the effect which Gondomar desired. "I hope," said Buckingham, "that the King of Spain will not renew his truce with the Dutch next spring." "Why," replied the cunning diplomatist, "should not the King of England declare war upon them as well?" The bait was eagerly taken, and the terms of an alliance were discussed. As some difficulty arose, Digby, who can hardly have looked with much satisfaction upon the scene, broke in. "Why," he said, "they used to tell me at Madrid that your master would willingly make over the revolted provinces to England for a very small consideration." Gondomar shook his head. But by degrees he appeared to relent. If James would give real assistance towards the conquest of the country, one or two provinces might perhaps be assigned to him as a reward for his services. The offer was, after some hesitation, accepted on condition that the two provinces should be Holland and Zealand.

Plan for the partition of the Netherlands.

The next question was how James was to be brought to take part in the conspiracy. Gondomar doubted whether he could be trusted to keep the secret. Buckingham replied that he was no longer on good terms with the Dutch, and that, before he trusted him, he would make him swear not to reveal the mystery.

James assents to it.

Buckingham was as good as his word. James swore to hold his tongue, seemed pleased with what he heard, and asked that the Prince of Wales might participate in the secret. The result was that Buckingham was sent back to the ambassador to beg him to write to Madrid for further instructions. The King, he was to say, embraced the scheme with pleasure, and would further engage not to meddle any more with the West Indies, if the King of Spain would agree that the East Indies should be fairly divided between the two nations.*

The plan of attack.

In his childish delight at having discovered a chance of taking vengeance on the Dutch, James had closed his

* Gondomar to Philip III., $\frac{\text{June } 27}{\text{July } 7}$. *Brussels MSS.*

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eyes to the bearing of his conduct upon the tangled web of the German difficulty. He held long and anxious consultations with Gondomar. At last he hit upon a plan which, as he thought, was certain to be crowned with success. He calculated that there were 8000 Englishmen in the Dutch service. He would send orders to their officers to rise on a given day, and to seize the strong places which were entrusted to their charge. A powerful fleet, under Buckingham's command, should be sent to the assistance of the mutineers, and a numerous army, with the Prince of Wales at its head, would soon put an end to all further resistance. Such was the plan which, at the moment when the very existence of Protestantism was at stake over half the Continent, an English King thought himself justified in proposing to the great enemy of the Protestant cause.*

Dec. Remarks of the Archduke Albert.

This astounding proposal, the infamy of which was only equalled by its imbecility, was laid by Gondomar before the Court of Madrid, and, in due course of business, was forwarded to Brussels for the consideration of the Archduke Albert.† For the straightforward mind of the Archduke the scheme possessed no attractions. He was curious to know, he observed, where the King of England proposed to find the fleet and army of which he talked so glibly. As to the 8000 English soldiers in the Netherlands, they were scattered over the country, and could effect but little. Nor was it likely that even their King's orders would induce them to act as traitors to the Republic which they had served faithfully for so many years.‡

Before the scheme was brought under the Archduke's notice, much had changed. The plot had been abandoned, if it had not been forgotten, by its author. As for Gondomar, all he wanted was to amuse James for the moment, and his object had been fully gained.

June. The embassies.

At the time when he first began to lend an ear to this disgraceful project, James announced his intention of

* Gondomar to Philip III., $\frac{\text{July } 22}{\text{Aug. } 1}$. *Brussels MSS.*

† Philip III. to the Archduke Albert, Oct. $\frac{10}{20}$. *Brussels MSS.*

‡ The Archduke Albert to Philip III., Dec. $\frac{18}{28}$. *Brussels MSS.*

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sending out ambassadors to pacify the Continent. Sir Henry Wotton was to return to his post at Venice, and was to stop at Vienna on his way, in order to put an end to the war in Bohemia. Sir Edward Conway and Sir Richard Weston were to visit Brussels and the States on the Rhine in company. From thence they were to pass on through Dresden to Prague, from which place it was hoped that they would be able to open communications with Wotton at Vienna.

Sir Henry Wotton.

It was an utterly hopeless task; so hopeless that it is hardly worth while to take note of the inefficiency of the ambassadors. Wotton indeed could write in an easy and flowing style. His opinions were moderate, and his thoughts free from extravagance. For the embassy at Venice, where there was nothing to do but to chronicle for his master's amusement the passing events of the day, he was admirably fitted. But, in a diplomatic mission of importance, he was sadly out of place. He never even found out how extremely ridiculous his present embassy was. He went about his work under the impression that he was going to be of some use. When he left England, he boasted to the officers of Vere's regiment, that he was about to do that which would keep their swords in their scabbards.*

Sir Edward Conway.

Conway was an old soldier, who had commanded the garrison at Brill before the surrender of the cautionary towns. He had imbibed in Holland a thorough dislike of Spain, which saved him the trouble of thinking out a policy for himself. His mind was devoid of all originality of thought. In an age when every one stooped to flatter the magnificent favourite, Conway surpassed them all in fulsomeness of phrase.

Sir Richard Weston.

Weston was destined to rise to higher dignities than either Wotton or Conway. His was one of those natures which the possession of power serves only to deteriorate. At present he was favourably known as a good man of business. He had been a collector of the customs in the port of London, and had taken part in the late reforms of the navy.

* Chamberlain to Carleton, July 8. *S. P. Dom.* cxvi. 13.

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The Spanish party.

Weston owed his present appointment to the favour with which he was regarded by Gondomar. Yet, as far as it is possible to judge from the evidence which has reached us, neither he nor the other politicians who at this time formed what was called the Spanish Party, had any wish to see Spain the mistress of the Continent, and far less wish to place the government of England in the hands of the Spanish ambassador. They looked with justifiable dislike upon an aggressive and sectarian hostility against the Catholic States. They wished, by entering upon a good understanding with the chief Catholic Power, to make a religious war impossible for the future. They were unfortunate, not so much from the badness of their cause as from the inefficiency of their leader. A King of England of consummate ability, who knew how to mingle firmness with conciliation, might perhaps have made his voice heard by the contending parties. But with James at their head, Digby and Calvert, Weston and Cranfield, were foredoomed to toil in vain.

Wotton's proceedings.

Wotton started on the 28th of June. He visited the South German Courts with due deliberation, and finally reached Vienna, where he proposed, with all fitting gravity, terms which were utterly unacceptable to both sides. He was able to write a few lengthy despatches. But he never had a chance of doing any more serious work.

Conway and Weston's mission.

The mediation in Bohemia with which Wotton had been charged, was beyond the powers of any man. The mission of Conway and Weston was of a more practical nature. For they were entrusted with a protest, to be delivered at Brussels, against the invasion of the Palatinate, and their protest was to be supported by a vigorous remonstrance at Madrid.*

Blindness of James.

But James had been careful that the words of his ambassadors should be taken for no more than they were worth. Under Gondomar's manipulation, his mind was thoroughly bewildered. The ambassador had never ceased to assert that the invasion of the Palatinate was

* Aston to Carleton, $\frac{\text{July 30}}{\text{Aug. 9}}$. *S. P. Spain.*

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the only road to peace. "It is an idea," he said on one occasion, "only fit for a book of knight-errantry, to imagine that the Palatine is to remain quietly at Prague, and that we are not to dislodge him by any means in our power. Let Bohemia be restored to its rightful owner, and the war will be at an end."* But he professed to know nothing of the intentions of the Spanish Government. So far as he was aware, he asserted, no decision had been taken. His own impression was, that Spinola's troops would march straight upon Bohemia. He had himself written to Brussels to urge the abandonment of the attack upon the Palatinate.

James did not wish to see through all this. To his poor confused mind, Gondomar's personal assurances were all-sufficient. "If Spinola touches the Palatinate," he was one day heard to say, "the Count of Gondomar is a man without faith, and without God."†

The treaty of Ulm.

Whilst James was talking, the French Government had been acting. Early in July, just after Conway and Weston had started on their bootless errand, news arrived in London that, through the mediation of Lewis's ambassadors, a treaty had been signed at Ulm on the 23rd of June, between the Union and the League.

The forces of the Duke of Bavaria would now be free to march upon Prague without any fear of molestation

* Gondomar to Philip III., $\frac{\text{June 27}}{\text{July 7}}$. *Simancas MSS.* Est. 1601.

† "Tuttavia l'istesso Ambasciator di Spagna professa con sua Maestà che lo Spinola non anderà all aggressione di esso Palatinato ancioche a lei stessa pure soggionga che questo sarebbe il vero modo per fare la pace, haviendo giurato et scongiurato più volte di havere scritto in Fiandra perchè non invada. Onde il Rè l'alterhieri a suoi favoriti di ciò parlando dice, o che lo Spinola non assalerà il Palatinato, o che il Conde di Gondomar è senza fede, e senza Dio." Lando to the Doge, July $\frac{9}{19}$. *Venice MSS.* I have not ventured to put Gondomar's assurances as strongly as this. Upon comparison with his own despatches, and with his decided language when the King afterwards taxed him with having misled him, I have little doubt that he took care to put his assurances as proceeding personally from himself. This would correspond with the language used at Brussels to Conway and Weston. That Gondomar had in some way or other asserted that Spinola was going to Bohemia, is evident from Caron's despatch of the $\frac{14}{24}$th of September. "Den Spaenschen Ambassadeur," he writes, "hadde haer altyt verseeckert dat syne forcen tegen den Coninck van Bohemen ende tot secours van den Keyser souden gaen." *Add. MSS.* 17,677K, fol. 66.

in the rear. Of still greater importance was it, that the Archduke Albert was not included in the treaty. That the omission was intentional there could be no doubt whatever. Even James could hardly shut his eyes now to Spinola's aim. Yet at the moment when it was in his power to localise the strife, and to prevent the Bohemian war from growing into a German war, he was silent. It was plain that he at least would not be the peace-maker of Europe. 1620. June.

It was thus that James was using the prerogative which he valued so highly. Each of the great parties into which English politicians were unequally divided had opinions and principles of its own. But James had none. He stood between the contending statesmen, not because he was above them, but because he was infinitely beneath them. To talk much, and to do little—to believe all rumours, however improbable, which would save him from the necessity of acting—to trust blindly to the good intentions of those very Governments which were most strongly tempted to deceive him ;—these were the arts by which James was, in his wilful ignorance, cutting away the supports of loyalty and obedience upon which the throne, which he had received from Elizabeth, had hitherto rested in security.

July. Embarkation of Vere.

The treaty of Ulm was not without effect in England. Up to this time, the contributions for the payment of Vere's troops had come in but slowly. Instead of the 4000 men which were to have followed him across the sea, Dohna was now obliged to announce that a regiment of half the number would be all that he could provide for. The whole sum which had been levied from the counties did not exceed 10,000*l.* But the news from Germany touched to the quick those who had hitherto hung back. 7000*l.* were subscribed in a single week. On the 22nd of July the little force embarked for Holland, from whence it was to be escorted to the seat of war by a body of Dutch cavalry.

Amongst the officers who took service under Vere was the dissolute and reckless Earl of Oxford, fresh from his dissipations at Venice, and the sturdy, half Puritan, Earl of Essex. In this enterprise there was room alike for

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the spirit which twenty years afterwards animated the Parliamentary bands, and for the spirit which inspired the troopers who followed Rupert to the charge.

James's feelings.

The treaty of Ulm wrought no change in James which was of the slightest consequence. In June he had refused to believe that the Palatinate would be invaded at all. In July he refused to believe that any harm would come of the invasion. His language now was, that it was a mere diversion, for the sake of getting back Bohemia. The Spaniards were far too friendly not to relinquish their conquests in his favour as soon as they had accomplished their object. He probably thought that if they were ready to act in concert with him in his attack upon the Dutch, it was impossible that they would strip his son-in-law of his hereditary dominions. Whenever he spoke of Frederick, his voice grew louder, and his language more excited. "It is only by force," he said, "that he will ever be brought to reason." "The Palatine," said Buckingham, "is mounted upon a high horse, but he must be pulled off in order to make him listen to his father-in-law's advice." *

Conway and Weston at Brussels.

When such was James's own language, it was not likely that much respect would be shown to his ambassadors at Brussels. They were informed that no decision had as yet been taken as to the destination of Spinola's army. With this they were forced to be content. Their mission, they found, was everywhere regarded as a mere formality. Men told them to their faces that it was well known that their master "would not be drawn into a war upon any condition." †

August.

In London, Gondomar now began to speak plainly. Nothing more was heard of his own desire to avert the invasion. The conquest of the Palatinate, he boldly

* Camden's Annals. Gondomar to Philip III., $\frac{\text{July 24}}{\text{Aug. 3}}$. *Simancas MSS.* Sir E. Sackville is frequently said to have accompanied Vere. This was not the case. Camden tells us that he and Lord Lisle refused to serve, "out of I know not what ambition and emulation." In the autumn he was in the Netherlands with the Prince of Orange.

† The Archduke Albert to the King, July 22. Conway and Weston to Naunton, July 22; 24; 29. Pecquius to Conway and Weston, July 24. *S. P. Flanders.* Weston to Buckingham, July 22; 23. Conway to Buckingham, July 24. *Harl. MSS.* 1581, fol. 192, 194; 1580, fol. 279. Conway to Buckingham, July 29. *S. P. Germany.*

averred, was the indispensable prelude to a lasting peace.* CH. V. 1620. August.

James took the Archduke's reply very easily. "If my son-in-law," he said, "wishes to save the Palatinate, he had better at once consent to a suspension of arms in Bohemia."†

Partly from sheer irresolution, partly perhaps from some confused notions of morality, James had thus settled down into the view of the case which had been presented to him so industriously by Gondomar. If Frederick had robbed the Emperor of his property, why might not the Emperor seize upon Frederick's property as a security for the restitution of his own. Such reasoning could only be answered by those who knew that the Palatinate was not Frederick's property at all, but a land filled with thousands of living souls whose rights were infinitely more precious than those for which the rival Kings of Bohemia were doing battle.

Fresh overtures of the Dutch.

The Dutch at least had learned from their own experience to value a people's rights. One more desperate effort they made to drag James into resistance. He had now a fleet of twenty ships ready for sea. The expedition against the pirates, so often taken up and laid aside, was at last approaching realisation. Why should he not, —such was the reasoning of the Dutch,—divert them to a nobler purpose still? Let him launch this fleet against the Spanish treasure-house in the Indies. Spinola would quickly be brought to reason, and the Palatinate would be saved.

Far from thinking of aiding the Dutch against Spain, James was thinking of aiding Spain against the Dutch. News of fresh outrages in the East had just come to irritate him; and he rejected the request with scorn. In language which sounds strange from the lips of a man who was planning a mutiny in the garrisons of a friendly State, he replied, that an attack upon Spain

* "Fieramente rispose, con tralasciere assolutamente li concetti prima usati per tenere in speranza che non sarebbe assalito, che vero mezzo per fare la pace era, a punto quello, non altro di lasciar cadere esso Palatinato." Lando to the Doge, Aug. $\frac{10}{20}$. *Venice MSS.* Desp. Ingh.

† Naunton to Conway and Weston, Aug. 12. *S. P. Germany.*

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would be "most dishonourable, and ill beseeming his sincerity." *

July. The invasion of Austria.

Already it was too late to stop the torrent. Maximilian had completed his preparations. On the 13th of July, the first detachment of his troops crossed the Austrian frontier. On the 25th he was at Linz, and in six days after his arrival the nobility of Upper Austria were crouching at his feet. Already Lower Austria had submitted unconditionally to Ferdinand, and it was not long before the Bavarians and the Imperialists were ready to march upon Prague. The Elector of Saxony had agreed to attack Lusatia and Silesia, and to keep the Bohemians well employed upon their northern frontier.

August. Spinola's march.

It was now Spinola's turn to move. Eighteen thousand men were left in the Netherlands to keep the Dutch in check.† With an army of twenty-four thousand, Spinola himself made straight for the Rhine; he crossed the river below Coblenz, in order to keep up as long as possible the belief that he was aiming at Bohemia. Suddenly wheeling round he recrossed the Rhine, and when Conway and Weston entered Mentz on the 19th of August, they found the town full of Spanish troops.‡

The army of the Union.

Startled by the imminence of the peril, the English ambassadors hurried to Oppenheim, to confer with the princes of the Union. They found them at the head of an army of twenty thousand men,§ a force sufficient under favourable circumstances, to act on the defensive against the slightly superior numbers of the Spanish general. But the circumstances were not favourable. The long straggling territory of the Palatinate was by nature as indefensible as the Prussia which Frederick the Great received from his father; and in the army of the Union no Frederick was to be found to counterbalance

* Carleton to Naunton, Aug. 9. Naunton to Carleton, Aug. 27. *S. P. Holland.* The King to the Princes of the Union, Aug. 27. *Add. MSS.* 12,485, fol. 496.

† *Theatrum Europæum*, i. 358. Trumball to Naunton, Aug. 10; 24. *S. P. Flanders.* I cannot but think that the instructions for Spinola's direction, printed in *Londorp*, ii. 170, are forged. The tone assumed is diametrically opposed to that which appears in every one of the papers which I have seen at Simancas.

‡ Conway and Weston to Naunton, Aug. 21. *S. P. Germany.*
Conway and Weston to Naunton, Aug. 18. *S. P. Germany.*

the defects of his position. Nominally the troops were under the command of the Margrave of Anspach, but he was surrounded by a cavalcade of dukes and counts, each of whom fancied, perhaps not without reason, that he knew as much about war as the General.

Conway and Weston consulted.

At this critical moment, the princes appealed to the English ambassador for advice. It was evident, that Spinola intended to attack them. He was busy establishing a basis of operations at Mentz. Would they not, therefore, be justified in anticipating the blow? The ambassadors replied that they "conceived his Majesty's desire was, that the fault of hostility might be on their adversaries' parts." To a second and more urgent entreaty, they answered that they had no authority to speak in the King's name, but that as private persons their opinion was that it was certain that Spinola was meditating an attack, and, if so, it would be within the limits of defensive warfare to anticipate it.

The discussion was of no practical importance. Spinola had taken good care that his military position should be unassailable. Already, before the ambassadors were consulted, an attack planned against one of the Spanish posts had been relinquished as impracticable.

When misfortune came, the princes attempted to shift the blame upon the English envoys, who, as they said, had prevented them from attacking the enemy. It would have been well for James if all the charges brought against himself and his ministers could be met as easily as this.*

* Conway and Weston to Naunton, Aug. 27; Oct. 13. Conway to Buckingham, Aug. 27; Oct. 13 (?). Balconqual to Carleton, Oct. 14. *S. P. Germany.* The accusation has been usually accepted without hesitation by later writers. A passage in a letter written by the Duke of Deux Ponts to the King shows how it sprung up. "Sur lesquelles entrefaites, les ambassadeurs de V. Mté., estants transportez vers les Princes Unis, et les ayants exhortez fort serieusement et instamment de ne faire aucun commencement d'hostilité, ains d'attendre jusques à ce qu'on peust juger au vray des intentions dudit Spinola, avec ceste adjection que s'ils en usoient autrement, vostre Mté l'auroit desaggreable, et qu'au contraire, si de l'autre costé on faisoit le commencement d'aggression V. Mté embrasseroit asseurement le parti et la defense du Palatinat." Sept. 8. *S. P. Germany.* There is no mention here of the personal explanation given by the ambassadors; and from saying that they urged the Princes to wait till Spinola's intentions could be discovered, to saying that they urged them to wait till the attack was made, the step was easy.

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August. Spinola's attack.

The blow was not long in falling. On the 30th of August, Spinola, with the spring of a lion, threw himself upon Kreuznach. Ill-fortified and ill-defended, the town surrendered on the following day. Alzei was the next to capitulate, and the princes, whose communications were threatened, retreated in disorder to Worms, where they hoped to find a more defensible position. On the 4th of September, Spinola entered Oppenheim in triumph.*

Sept. James's reception of the news.

At first it seemed that not even by such news as this was James to be brought seriously to consider his position. He told Dohna, that the Emperor was perfectly justified in what he had done. To Caron, who produced an intercepted despatch, which proved that the English ambassadors had been intentionally hoodwinked at Brussels, he replied by suggesting that the Dutch should lend him some money. He ordered a courier to start for Prague, to inquire on what terms his son-in-law would now be ready to make peace. To the Duke of Deux Ponts, the Administrator of the Palatinate in Frederick's absence, he wrote a vague letter, promising that in the proper time and place he would be ready to defend the inheritance of his grandchildren. For the present he hoped that the princes would do their best. With the help of the English volunteers and of the Dutch escort which accompanied them, he had little doubt that they would be able to make head against the enemy.†

James accuses Gondomar of deceiving him.

Yet the revelation of the intercepted despatch had not been altogether thrown away. James's letter to the Duke of Deux Ponts was written on the 23rd of September. The next morning, Gondomar was admitted to an audience at Hampton Court. To the surprise of all around, the moment that he entered the presence chamber, James broke out impatiently in an unwonted strain. For months, he said, he had been cheated into the belief that Spinola was going to Bohemia. He was bound not to

* Advertisement from Heidelberg, Sept. 1. *S. P. Germany.* *Theatrum Europæum*, i. 381.

† Naunton to Nethersole, Sept. 13; 23. *S. P. Germany.* Caron to the States General, Sept. 14. *Add. MSS.* 17,677K, fol. 66. Notes of Oñate's despatch, July. *S. P. Spain.* Dohna's reply to the King's objection, Sept. 16. *S. P. Germany.* The King to the Duke of Deux Ponts, Sept. 23. *Add. MSS.* 12,485, fol. 50.

allow his children to perish, or his religion to be overthrown. He had been treated with the grossest disrespect. The King of France had known all about the projected attack, whilst he had been kept in the dark.

Gondomar had long been prepared for some such outburst as this. He haughtily denied that he had ever used any deception at all. He had always said that his master would risk all he had to recover Bohemia. He had given no engagement that the Palatinate should not be attacked. He had never been even asked to do so, and if he had been asked, he could not have given any satisfactory reply, as the intentions of the Spanish Government had not been communicated to him.

To this James had in reality nothing to reply. If he had chosen to interpret according to his own wishes the purposely vague language of the Spanish ambassador, he had no one but himself to blame. In the consciousness that the fault was his, he lost his temper. No king upon earth, he screamed out, should prevent him from defending his children. When he had said this he burst into tears of impotent rage.*

Such was the first intimation of James's intention to interfere in the Palatinate. What chance was there that any good could come of a policy conceived by hazard in a moment of irritation?

His promises to Dohna and Caron.

A few days afterwards he heard that two of his grandchildren had been removed from Heidelberg, and had been sent to seek the protection of the Duke of Wirtemburg. He was sensibly affected by the news, and almost forgot for a moment that his son-in-law was an usurper. Dohna was at last satisfied with the tone in which he spoke. He would bear Gondomar's tricks no longer; he would declare publicly his resolution to embark in the support of the princes.† To Caron he was still more

* Caron to the States General, $\frac{\text{Sept. 28}}{\text{Oct 8.}}$. *Add. MSS.* 17,677K, fol. 70. Lando to the Doge, Oct. $\frac{1}{11}$. *Venice MSS.* Desp. Ingh. Tillieres to Puisieux, Oct. $\frac{4}{14}$. *Bibl. Impériale MSS. Harl.* 223 : 16, fol. 524. It is a pity that Raumer did not include this despatch in his selection. The extremely silly remarks of the Frenchman might have served as a warning to those English writers who have built their narratives on his guesses.

† Extract from Dohna's despatch, $\frac{\text{Sept. 27}}{\text{Oct. 7}}$. *Add. MSS.* 17,677K, fol. 74.

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emphatic. In his recent displeasure against the Spaniard, his old displeasure against the Dutch had passed out of his mind. The conspiracy for the partition of the Netherlands was forgotten. He might not, he said, be able to do at once all that he wished, but he was thoroughly in earnest. Caron answered by apologizing for the untoward occurrences in the East, and by engaging that the States would speedily send ambassadors to clear up all matters in dispute.*

Great were the rejoicings at this unexpected turn of affairs. "There was never," wrote one who took a deep interest in the Protestant cause, "so joyful a court here as this declaration hath made. I see men's hearts risen into their faces. Some few are dejected, and will shortly be as contemptible as they deserve to be despised."†

His letter to the princes of the Union.

On the 29th, James despatched a fresh letter to the princes of the Union. He intended, he said, to preserve his neutrality as far as Bohemia was concerned, but with respect to the inheritance of his children, he would not be neutral. He could not do anything now, as winter was coming on, but if peace could not be obtained before the spring, he would aid them with all the assistance in his power.‡

The next day James came up to Whitehall, to make a public declaration of his intentions in the presence of the Council. But already the dread of giving encouragement to rebellion was regaining possession of his mind. The day before he had offered his support to the Princes unconditionally. He now informed the Council that if Frederick expected aid, he must listen to the advice given him by the English ambassadors at Prague,§ or, in other words, that he must agree to renounce the crown of Bohemia.‖ The personal view of the question was still uppermost in James's mind.

* Caron to the States General, $\frac{\text{Sept. 28}}{\text{Oct. 8}}$. *Add. MSS.* 17,677K, fol. 70.

† Rudyard to Nethersole, Sept. 27. *S. P. Germany.*

‡ The King to the Princes of the Union, Sept. 29. *Add. MSS.* 12,485, fol. 51. Naunton to Carleton, Sept. 30. *S. P. Holland.*

§ Morton to Zouch, Oct. 7. *S. P. Dom.* cxvii. 5.

‖ Wotton to the King, Sept. 7. Wotton to Conway and Weston, Sept. 7. Naunton to Nethersole, Sept. 23. *S. P. Germany.*

The benevolence.

Yet, in spite of this limitation, the King's declaration was received by the Council with rapturous applause. A benevolence, it was agreed, should be raised for the purpose of carrying on the war. The Prince of Wales, as ready now to lead an army against the Spaniards, as he had been three weeks before to lead an army against the Dutch, rated himself at 5,000*l.*; Buckingham, whose exigencies had been satisfied by an apology from Frederick, and who loved the display of a lavish munificence in any cause, offered 1,000*l.* The remaining councillors followed his example with subscriptions in proportion to their rank.*

October. A parliament proposed.

Yet none knew better than the men who were thus widely opening their purses, that a benevolence would prove no efficient substitute for a Parliamentary grant. The result of Dohna's appeal to the nation had barely sufficed to support a regiment of two thousand men. James was therefore plainly told that, if anything serious was to be done, Parliament must be summoned.† The King replied vaguely that he would think it over. He however consented to the appointment of a Commission to consider what measures would be fit to lay before the Houses.‡

Policy of Digby.

It is refreshing to turn, if but for a moment, to a statesman who kept himself free alike from the ignorant impetuosity of the popular party, and the sluggish listlessness of the King. In Digby, James possessed a minister who would have taught him to be a king indeed, and who would have raised England to that high position amongst European states which is denied alike to selfish folly and to military glory, but which is willingly conceded to wise devotion to the common good. Undemonstrative, and careless of his own fame, Digby had allowed men to count him amongst the blindest partizans of Spain, but those who knew what his opinions really were did not do him this injustice. Gondomar was well aware that, whatever else he might do, he could never

* Naunton to Nethersole, Oct. 2. *S. P. Germany.* Contributions to the Palatinate. *S. P. Dom.* cxvii. 21.

† Rudyard to Nethersole, Oct. 2. *S. P. Germany.*

‡ Bacon to the King, Oct. 2. *Works*, ed. Montagu, xiii. 23.

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make a tool of Digby. If Digby could have had his way, there would have been no Spanish match, and no religious concessions to the demands of a foreign sovereign.* But he saw clearly that an alliance between Spain and England, honestly carried out on both sides, would put an end to the barbarous wars of religion by which Europe had been so long distracted, and he saw too, what James never could see, that it was hopeless to count on the mere goodwill of Spain, unless the Court of Madrid could be brought to understand that a war with England would be the inevitable result of a persistence in the evil paths of Philip II. It was in this spirit that he had never lost an opportunity of offering frankly the choice between the olive-branch and the sword, that whilst he had recommended the sending of ambassadors upon a mission of conciliation, he had at the same time advised the application to the King of Denmark for a loan to be used for the defence of the Palatinate, and the authorisation of the levy of Dohna's volunteers. In the same spirit, when he was made an involuntary witness of Buckingham's conversation with Gondomar about the proposed attack upon the Netherlands, he took care to warn the Spaniard of the risk he would run of throwing away the friendship of the English Government, by thwarting its policy on the Continent; and now, as ever, he seized upon the first opportunity which presented itself, of proving to Gondomar that England was not to be trifled with.

August. The fleet against the pirates.

By the end of August the fleet which had been so long preparing for the Algiers expedition was ready for sea. It was now lying at Plymouth waiting for a fresh store of provisions.†

The Spanish Government was seriously alarmed at the prospect. Orders were accordingly sent to Gondomar to stop the expedition at all hazards.‡ But the ambassador did not find it easy to carry out his

* Digby to the Prince of Wales, 1617. *State Trials*, ii. 1408.

† Salvetti's *News-Letters*, $\frac{\text{Aug. 24, 31, Sept. 28}}{\text{Sept. 3, 10, Oct. 8}}$. Lando to the Doge, $\frac{\text{Aug. 31}}{\text{Sept. 10}}$. *Venice MSS.* Desp. Ingh. Carleton to Nethersole, Oct. 22. *S. P. Holland.*

‡ Minutes on the expedition against the pirates, Aug. (?). *Simancas MSS.* Est. 2607.

instructions. Digby would not listen to his objections. For the attack upon the pirates he cared but little. For he had argued two years before that the chief loss fell upon the subjects of the King of Spain, and that it was, therefore, fitting that the brunt of the undertaking should be borne by Spain.* But he knew as well as Gondomar that if war broke out in the spring it would be advantageous that an English fleet should be prepared for action in the Mediterranean.†

It was therefore in vain that Gondomar urged that after the King's declaration to the Council, it was impossible that his master could treat an English fleet on terms of assured friendship. The King, replied Digby, had no wish to quarrel with Spain. He had only promised to assist his son-in-law if he listened to reason. The people were wildly excited by Spinola's proceedings. The King could not do less than he had done. If Gondomar had orders to break with England he had better say so at once. Whether the King of Spain liked it or not, the fleet would sail. There were many persons in England who would be only too glad to see it used in an attack upon Flanders, or upon Spain itself. By such language as this the ambassador was reduced to silence, and the fleet sailed from Plymouth without any further difficulty.‡

Gondomar and James.

It was more easy to deal with the King than with Digby. For a few days after the interview at Hampton Court, James had maintained his ground. But the ambassador knew that it would not be long before the old relation between them would be restored. Yet his first effort was not crowned with success. He made a formal complaint that Naunton was treating the Catholics harshly. "I hope," said James, in language which would have suited Elizabeth, "that in future you will show more respect to me than to bring such charges against my

* Digby to Buckingham, Oct. 12, 1618. *Harl. MSS.* 1580, fol. 102.

† Digby to the Commissioners for Spanish Affairs, July 26, 1621. *Clarendon State Papers*, i. App. vi.

‡ Buckingham to Gondomar, Oct. 3. *Londorp*, ii. 218. Gondomar to Philip III., Oct. $\frac{11}{21}$. *Simancas MSS.* Est. 2601.

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ministers. My secretary is not in the habit of acting in matters of importance without my directions." *

Gondomar returned to the charge. This time his complaint was that there were rumours abroad by which his honour was affected. Persons in high places did not scruple to assert that he had promised that Spinola would not enter the Palatinate. He now called upon the King, his eyes flashing with well-assumed anger as he spoke,† to defend him publicly against the liars who had traduced him. If not, he must clear his own reputation with his sword.

This time Gondomar had struck home. Literally at least, his words were true. He had made many assertions, but he had given no positive engagement. James quailed before the energy of the man who held in his hands the evidence of the conspiracy against the Dutch. He came down to the Council and declared openly that there was no truth in the charges which had been brought against the Spanish ambassador. He ordered Buckingham to convey to Gondomar his acknowledgment that no one had ever engaged on the King of Spain's behalf that Spinola would not enter the Palatinate, but that on the contrary, no hope had ever been given that any other course would be taken.‡

By the last clause James deliberately contradicted the assertion which he had made in his passion at Hampton Court. It was all the more welcome to Gondomar. As a certificate of his own honesty he cared but little for it. But it was something to have lowered James in the eyes of his own subjects, to have forced him to eat his own words in public, and to have made an open display of his inertness and incapacity. Digby's demonstration of independence was now thrown back upon itself. Since the day on which, in obedience to his

* Lando to the Doge, Oct. $\frac{1}{11}$. *Venice MSS.* Desp. Ingh.

† "Y cierto es que se lo dixe con la severidad y modo che el caso pidió, y la colera y sentimiento con que yo estaba." Gondomar to Philip III., Oct. $\frac{7}{17}$. *Simancas MSS.* Est. 2601.

‡ Buckingham to Gondomar, Oct. 2. *S. P. Spain.* Gondomar to Philip III., Oct. $\frac{7}{17}$. *Simancas MSS.* Est. 2601.

menaces, Donna Luisa de Carvajal had been set at liberty, Gondomar's supremacy at Whitehall had never been so uncontested as now.

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Yet Gondomar did not trust to blows alone. He tamed James with a whip in one hand, and a dainty morsel in the other. Early in September he had received a letter from Madrid, which he was to take care to throw in James's way. The letter, which was written in Philip's name, contained an assurance that an answer would soon be returned to the overtures of the King of England on the subject of the marriage. At the same time the ambassador was informed in a private note, that the English proposals were altogether inadmissible. Nothing short of complete religious liberty could be accepted. He was therefore to keep James amused till the winter set in, by which time the result of the campaign in Germany would be known.* At the moment when these letters were written, Philip was listening complacently to the overtures of Ferdinand's ambassador, Khevenhüller, who was instructed to propose a marriage between the Infanta and the Archduke Ferdinand, now the eldest surviving son of the Emperor. After some consideration, he formally gave his consent to the arrangement, adding a suggestion that the Prince of Wales might be consoled with the hand of an Archduchess, who would doubtless be better fitted for a life amongst heretics than was possible for a Spanish Princess. There could be little doubt that the Pope would take the burden of the change upon his own shoulders. But if that could not be, the Infanta might be told to say that she would rather go into a nunnery than marry a heretic, upon which Philip might magnanimously refuse to force the inclinations of his daughter, even for the sake of an alliance with the King of England.†

The marriage treaty.

Sept.

Before Gondomar received his master's letters the news of the invasion of the Palatinate had reached England. He saw clearly that this was not the time to raise the

October. Lafuente's mission to Rome.

* Philip III. to Gondomar (Two letters), $\frac{\text{Aug. } 23}{\text{Sept. } 2}$. Printed in *Francisco de Jesus*, Appendix vii.

† *Khevenhüller*, ix. 1191.

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slightest suspicion in James's mind, and there must be no delay in despatching Lafuente, who had been charged with a mission to Rome, with the purpose of opening negotiations there on the basis of the English proposals. Accordingly, on the 16th of October, Lafuente started for Madrid on his way to Rome, leaving James in the belief that the Spaniards meant what they said.*

Bacon's draft of a proclamation.

All this while the Commissioners appointed to prepare measures for a Parliament were busy drawing up bills and investigating grievances. But they knew that it was in the foreign policy of the Crown that the key-note of the coming session would be struck. On the 18th therefore, they forwarded to the King the draft of a proclamation which had been drawn up by Bacon for the purpose of defining the position which they hoped that James would be ready to take up.

"While we contained ourselves in this moderation," James was made to say, after recounting his reasons for taking no part in the Bohemian war, "we find the event of war hath much altered the case by the late invasion of the Palatinate, whereby (however under the pretence of a diversion) we find our son, in fact, expulsed in part, and in danger to be totally dispossessed of his ancient inheritance and patrimony, so long continued in that noble line, whereof we cannot but highly resent if it should be alienated and ravished from him in our times, and to the prejudice of our grandchildren and line royal. Neither can we think it safe for us in reason of state that the County Palatine, carrying with itself an electorate, and having been so long in the hands of the Princes of our religion, and no way depending upon the House of Austria, should now become at the disposing of that House, being a matter that indeed might alter the balance of our state, and the estate of our best friends and confederates.

"Wherefore, finding a concurrence of reasons and respects of religion, nature, honour, and estate, all of them inducing us in no wise to endure so great an alteration, we are resolved to employ the uttermost of our forces and

* Salvetti's *News-Letter*, Oct. $\frac{19}{29}$. Philip III. to Gondomar, $\frac{\text{Nov. 30}}{\text{Dec. 10}}$. *Simancas MSS.* Est. 2573.

means to recover and resettle the said Palatinate to our son and our descendants, purposing, nevertheless, according to our former inclination so well grounded, not to intermit (if the occasions give us leave) the treaties of peace and accord which we have already begun, and whereof the coming of winter and the counterpoise of the actions of war hitherto may give us as yet some appearance of hope." *

Its rejection.

This was statesmanlike language. Such a proclamation, so temperate, and yet so firm, would have served as a rallying point for the whole nation. It would have formed a common ground upon which Pembroke and Abbot could join hands with Digby and Calvert. A king who could in the name of England put forth such a manifesto as this, would speedily have become a power in Europe which neither Spain nor Austria could afford to despise.

Such a proclamation was too good for James. Now, as ever, he shrunk from committing himself to any policy at all. It would be better, he informed Bacon, to reserve what he had to say till the opening of the session. Matters of state, such as those upon which the proclamation touched, were above the comprehension of the common people.†

Meanwhile the excitement was great amongst the common people, who were treated so contemptuously by James. Everywhere men were heard discussing the chances of a Parliament. The simplest occurrences were caught at as affording an indication of the King's intentions. One day, Bacon had said that "whatever some unlearned lawyers might prattle to the contrary, the prerogative was the accomplishment and perfection of the common law;" and his words were supposed to convey an intimation that supplies would be raised without the intervention of a Parliament.‡ Another day it was rumoured that the King had been talking about demanding Spinola's head, and that some one had expressed a doubt of

* Draft of a Proclamation. *Bacon's Works*, ed. Montagu, xii. 269.

† Buckingham to Bacon, Oct. 19. Bacon to Buckingham, Oct. 19. *Works*, ed. Montagu, xiii. 24; xii. 396.

‡ Chamberlain to Carleton, Oct. 14. *S. P. Dom.* cxvii. 13.

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the likelihood of the King of Spain granting his demand. "Then," James was said to have replied, "I wish Raleigh's head were again upon his shoulders." *

The Benevolence pressed.

At last it seemed that all hope of a Parliament must be abandoned. On the 25th of October, circulars were issued to the peers, and to other wealthy persons, urging them to contribute to the Benevolence. The leaders of the popular party threw their whole weight into the scale. Nor did they, when it was a question of enforcing the payment of money, shrink from the adoption of the most questionable means. In Hampshire, at the instance of Pembroke and Southampton, Sir Thomas Lambert was punished by a nomination to the shrievalty for his refusal to contribute, and complaints were heard from many other parts of the country of the unfairness with which burdens were laid at the musters of the county militia upon those who had closed their purses to the demand. Yet the result was by no means proportionate to the efforts which were made. One nobleman after another sent an excuse. One was too poor, another had paid large sums to Dohna in the summer, whilst a third would be ready to contribute in a parliamentary way. The Prince of Wales, the members of the Privy Council, and the City of London, had in a few days brought together 28,000*l.* It was with difficulty that after some delay a paltry sum of 6000*l.* could be levied from all the rest of England.†

Nov. Parliament summoned.

It was not long before the failure of the appeal was known. If James did not mean to abandon the Palatinate altogether, there was but one course before him. On the 6th of November, a proclamation appeared, summoning a Parliament to meet on the 16th of January.

The proclamation was a weak and colourless production. To those who had eyes to see, it told that the King would meet his Parliament without a policy, and without sympathy with the feelings of his people. A vague allusion to the necessity of taking into consideration the state of Christendom, "so miserably and dangerously dis-

* Burton to Carnsew, Oct. 11. *S. P. Dom.* cxvii. 10.

† The Council to the Peers, Oct. 25. Rudyard to Nethersole, Nov. 8. Payments to the Benevolence. *S. P. Dom.* cxvii. 30; 64; cxix. 14. Many letters of excuse will be found amongst the State Papers of the time.

tracted at this time," was all that was said upon a subject upon which it most imported James to rally the nation to his standard.

Monopolies complained of.

So completely were men's minds occupied with questions of foreign policy, that if James could only have satisfied the House of Commons that he was in earnest on these points, he might safely have looked forward to the prospect of a peaceful session. Yet there were not wanting complaints of domestic misgovernment, which might easily give rise to considerable agitation, if the Commons met in a discontented mood.

"Indeed," wrote a calm and dispassionate observer in the course of the past summer, "the world is now much terrified with the Star-Chamber, there being not so little an offence against any proclamation, but is liable and subject to the censure of that Court; and for proclamations and patents, they are become so ordinary that there is no end, every day bringing forth some new project or other. In truth, the world doth even groan under the burthen of these perpetual patents, which are become so frequent that whereas, at the King's coming in there were complaints of some eight or nine monopolies then in being, they are now said to be multiplied by so many scores."*

Bacon's connection with them.

The history of these monopolies is especially interesting, as the character of no less a man than Bacon is deeply affected by the judgment passed upon them. It is puerile to speak of him as if he could be untouched by the result. Many of them passed the great seal whilst it was in his hands. Some of them were backed by his recommendation; and the most unpopular of them received his thorough support, at a time when other men were hanging back from fear of the clamour raised against them. If he really thought as badly of them as modern historians have thought of them, Pope's notorious line would be true to the letter. He must have been, in sober truth, "the meanest of mankind."

If we wish to know what the views of Bacon and other officers of state really were, the first thing to be done is to consult the original patents. No doubt there is much

* Chamberlain to Carleton, July 8. *S. P. Dom.* cxvi. 13.

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which will not be learned there. We shall not find any light thrown on the personal motives of those through whose influence they were obtained. But if we find a large number of official declarations spread over a long series of years, and emanating from men who differed from one another in character, in position, and in political opinion, we shall be able to discover whether they contain indications of a settled policy, or are mere makeshifts put forward to cover the greed of unprincipled courtiers.

Of the patents subsequently complained of there were two—the patent for inns and the patent for alehouses, which were objected to, partly as encroaching upon the jurisdiction of the justices of the peace, and partly as having been made the excuse for gross injustice and oppression.

1617. The patent for inns.

The patent for inns had been originally suggested by the notorious Sir Giles Mompesson, a kinsman of Buckingham, whose fertile brain teemed with projects by which his own purse was to be replenished and the public benefited at the same time. At first sight, indeed, there was much to be said for his scheme; for he proposed that a commission should be issued for the purpose of granting licences to inns. The innkeepers would thus be brought under control. They would be prevented from charging extravagant prices for the food which they served out to their guests. At this point, however, a legal difficulty arose. It was plain that the justices of the peace had no power to grant such licences. But it was not certain whether the power did not reside in the justices of assize, and it was upon their authority that the whole plan was founded. The Commissioners were to make out the licences—the justices of assize were, by their signature, to give validity to these documents, of the merits of which they were totally unable to judge. The legal question was accordingly brought before Bacon, when he was still Attorney-General. Unwilling to take the responsibility upon himself, he asked that three of the judges might be associated with him in the inquiry. The result was an unanimous report in favour of the plan. The question of its general policy was then submitted to Suffolk, Montague, Winwood, Lake, and Sergeant Finch, and these men,

differing from one another in character and in politics, concurred in recommending the adoption of the scheme.*

The patent was accordingly drawn up, nominating Mompesson, and two other persons, as commissioners for the purpose.† It was one of those which was brought to the bedside of the dying Ellesmere, and which he, either from dislike of the grant itself, or as is more probable, merely in order to force the King to accept his resignation, refused to pass. The great seal was accordingly affixed to it by the King's special direction, before the new Lord Keeper was appointed.

Bacon's part in it.

Bacon's part in the matter, it will thus be seen, was confined to the opinion, which, in common with others, he expressed upon the legality of the patent. No doubt such an opinion was in direct opposition to that at which the judges arrived seven years afterwards.‡ Yet it does not appear that his view of the case differed much from that which commended itself generally to lawyers at the time,§ and it is certain that Coke, who of all men in England, was most likely to have opposed him on a legal question, distinctly stated it to be his opinion that the patent was good in law.‖

Abuses of the Commissioners.

Yet, however this may have been, it soon appeared that it was intolerable in practice. Mompesson and his fellow-commissioners were responsible to no one. No scale of payments had been settled by the patent, and it was therefore their interest to grant as many licences as possible, and to sell them as dear as they could. For though it had been arranged that the money collected was to go into the exchequer, it seems for the most part to have found its way into Mompesson's pocket. It was not long before men were talking all over England of the ease with which keepers of disorderly houses contrived to obtain licences from the commissioners, and of the harsh and

* Bacon to Buckingham, Oct. 18, 1616. *Works*, ed. Montagu, xii. 486. Charge of the Commons against Mompesson. *House of Lords MSS.*

† Commission to Mompesson and others. *Patent Rolls*, 14 Jac. I. Part 22.

‡ Hutton *Rep.* 100.

§ Bulstrode *Rep.* i. 109. Viner's *Abridgment*, xix. 437. Article Inns, sec. 9.

‖ 5 & 6 Ed. VI. cap. 25.

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oppressive treatment of those who had refused to conform to their demands.*

1618. The patent for alehouses.

Whatever arguments might be used in defence of the exercise of a supervision over inns, applied with double force to the attempt to bring under a strict control the petty alehouses, which might so easily degenerate into haunts of thieves and drunkards. It was a subject which had long attracted the notice of Parliament. By an act passed in 1552,† alehouse-keepers were required to be licensed by the justices of the peace, and this licence they could only obtain by entering upon recognisances for the maintenance of good order. The first Parliament of James had passed no less than three acts for the restraint of drunkenness.‡ The efforts of Parliament had been seconded by the Council. In many parts of the country the justices had been careless of their duties, and licences had been granted in profusion. The justices were accordingly admonished to be more careful in future.§ Certain forms were to be observed in the granting of licences, and the proceedings were to be certified to the Council. A small fee was to be charged upon the licences, for the benefit of the Exchequer. Against this latter innovation, the Commons protested in 1610, as an infringement of their rights of taxation; and the order for the fee was at once withdrawn. As, however, no objection was raised to the demand for a certificate to the Council, it is to be inferred that no scruple was felt on that score.‖

Still, in spite of all that the Council could do, the number of alehouses increased. In 1616, James complained bitterly of the evil.¶ These houses, he said, were the lurking-places of thieves and desperadoes. They even afforded shelter to deer stealers. At last some one proposed that he should take them under his own supervision. There was, it was true, a legal difficulty in the

* On this subject I have given full particulars in a paper on Bacon's letters to Christian IV. *Archæologia*, vol. xli.

† 5 & 6 Ed. VI. cap. 25.

‡ 1 Jac. I. cap. 9; 4 Jac. I. cap. 5; and 7 Jac. I. cap. 10.

§ The King to the Mayor and Justices of Southampton, March 3. 1608, *Cott. MSS.* Tit. B. iii. fol. 1.

‖ *Cott. MSS.* Tit. B. iii. fol. 2.

¶ Speech in the Star-Chamber. King James's *Works*, 522.

way. The right of granting licences was vested by Act of Parliament in the justices of the peace. But, as usual, a device was discovered by which the act could be circumvented. The justices were to continue to grant the licences, and to take the recognisances; but the recognisances, as soon as they were taken, were to be certified into the King's Bench. Two persons, Dixon and Almon, were nominated by patent to keep an eye upon offenders, and to see that those alehouse-keepers who deserved punishment did not escape through the undue leniency of the justices.

Such an arrangement may possibly have been needed in many parts of the country, but it conveyed a deadly affront to the country gentlemen, who were held to be incapable of keeping order in their own neighbourhood. Nor was the ill-feeling aroused likely to be allayed, when it was known that the forfeitures accruing to the Exchequer from the activity of the patentees, were already shared in advance by half-a-dozen courtiers, amongst whom the name of Christopher Villiers was conspicuous.*

* Grant to Dixon and Almon, March 11, 1618. *Patent Rolls*, 15 Jac. I., Part 23. Buckingham to Bacon, Jan. 11. Bacon to Buckingham, June 25, 1618. *Bacon's Works*, ed. Montagu, xii. 346, 254. The following notes show that after the patent was granted the affair was laid before the judges:—

"Conference of the King with the judges at Greenwich, June 28, 1618."

"Then touching alehouses there was a project, as it seems, delivered to the King, which he read; whereupon it was thought fit, (because it was said that the Justices of the Peace were to blame, either in not taking or not certifying their recognisances,) that therefore no licences should be granted but in open sessions, and that they should be of the sufficienter sort of men."

"But where it was now put in practice that all such recognisances were by certiorari fetched into the King's Bench, it was holden very inconvenient, for it is said that every recognisance brought in doth cost in fees more than 20*s*. there. When they are there, they are asleep; for who can come hither to inform the breach? It was used for a favour when a recusant was indicted, to remove the indictment into the King's Bench; for that made a surcease of proceedings. And when the pretence was that recognisances were not returned, and that this way should discover that abuse:—Nihil minus; for how shall they know what recognisances are wanting, except they be sure of all the alehouses licensed through the several shires, which is impossible for the judges ever to take knowledge of. But in the several counties it is not hard both to know all the faults both in the justices and in the alehouses, and to punish and redress them; and therefore the law left them there to be prosecuted."

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1618.

Monopolies.

Such patents as these were objectionable on many grounds. But a far greater storm of indignation was directed against those which conferred grants upon which the hated name of monopoly could be affixed. Yet a careful examination of these grants will convince us that they are not open to the charges which are habitually brought against them. They were not made with the object of filling the Exchequer. They were not made, primarily, at least, with the object of filling the pockets of the courtiers. They were, it is impossible to doubt, the result of a desire on the part of official persons to encourage commerce, and to promote the welfare of the State, though it cannot be denied that their zeal was often greater than their knowledge, and that their best efforts were not unfrequently tainted by that atmosphere of favouritism and corruption, which clung like a dank exhalation to everything that was best at the Court of James.

Theories held on them.

The general principle which was almost universally recognised at this time on the subject of monopolies, was very much the same as that which has lain at the root of all subsequent legislation. As a rule, such grants were held to be illegal, as encroaching upon the rights of the subject to the exercise of his trade. But exceptions might be made whenever any one either invented or introduced from other countries a new method of manufacture. By such a grant no one, except the purchaser, would be injured; and even he would, in the long run, be compensated for the high price which he would at first be called upon to pay, by the cheapness which would be the eventual result of enterprise and invention.

Such a rule having once been laid down, it is evident that there would be considerable difference of opinion as to the proper mode of applying it in practice. The great body of purchasers would demand that the rule should be interpreted as strictly as possible, and that nothing

"In the end his Majesty left it to the consideration of the judges in point of conveniency touching this new use of recovering the recognisances." *Tanner MSS.* lxxiv. fol. 79.

Unfortunately we have not the final answer of the judges. But it will be seen that no point of law was raised against the patent, and that though the opinion of the judges, so far as it went, was adverse, there was no attempt to override it, but that the question was left to their further consideration.

beyond the actual invention should be covered by the guarantee; whilst the official, who had to consider the propriety of making the grant, might either be induced through negligence to encourage a lax interpretation of the rule, or might even, from a mistaken sense of duty, be led to stretch the concession so as to cover manufactures which were not in any sense new inventions, but which it was thought to be in accordance with the public interest to place under a special supervision.

Of the many grants of this nature which are to be found upon the patent rolls, there are not a few which never provoked any adverse criticism at all. They were mere protections to new inventions, such as might be granted at the present day. But the features of others were more or less objectionable. In 1616, two men named Bassano and Vandrey asked for a patent on the ground that they had invented a method by which fish might be kept alive in boats, thereby enabling them to bring salmon and lobsters from Ireland to the London market. Their petition was supported by the Company of Fishmongers, and they obtained a patent granting to them the sole right of bringing in fish from such rivers and seas as had not hitherto furnished supplies to the population of London. It was a patent which would not indeed be in accordance with modern practice; for it was always possible that it might prevent some other person from attaining the same result by a different and improved method. But practically no great harm would have been done, if the patentees had kept within the letter of their privilege. But they soon found that it was easier to plunder poor fishermen than to establish extensive fisheries in Ireland. Their agents lay in wait for the boatmen at the mouth of the Thames, and ordered them to make over to them the contents of their lobster-pots for a mere pittance, far below the value of the fish, in order that they might themselves sell them at a monopoly price.*

1616. Salmon and lobsters.

Such grievances as these were widely felt. But they were rather caused by the difficulty of obtaining redress

* Grant to Bassano and Vandrey, Jan. 27, 1616. *Patent Rolls*, 13 Jac. I., Part 16. *Proceedings and Debates*, i. 295.

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from a patentee than by the inherent defects of the patents themselves. There were other cases which were calculated to rouse far deeper indignation; for in these it seemed that the rule, which was generally accepted, had been deliberately broken through. It will be sufficient to mention two instances,—that of the patent for the manufacture of glass, and that of the patent for the manufacture of gold and silver thread.

1574. The manufacture of glass.

In 1574, an attempt was made by a Venetian, named Versellini, to rival in England the products of the world-famous glassworks of Murano. A patent was accordingly granted to him by Elizabeth, conferring upon him the sole right of making such glass in England. Upon the expiration of the patent it was regranted to Sir Jerome Bowes.*

The glass thus made had been produced in furnaces heated with wood. In 1611, Sir Edward Zouch and three other persons obtained a patent for a process which enabled them to use coal.† In 1613, Zouch and his partners applied for an extension of their powers. They had been originally directed not to infringe upon Bowes's patent, and they had accordingly confined themselves to the manufacture of the commoner kinds of glass. They now stated that their furnaces had been put to the test of experience, and were answering their purpose admirably. They had spent 5000*l.* in the process, and they could not expect to recover their expenses unless the whole manufacture were placed in their hands by the overthrow of all existing patents except their own.

1611.

1613.

As a mere matter of political economy, no demand could be more outrageous. But to the Privy Council it was something more than a mere matter of political economy. For some time the waste of wood in England had attracted attention, and fears were frequently expressed that unless some remedy were provided it would

* Grant to Versellini, Dec. 15, 1574. *Patent Rolls*, 17 Eliz., Part 13. Grant to Bowes, Oct. 5, 1606. *Patent Rolls*, 4 Jac. I., Part 21. Its reversion was granted to Hart and Forset, Oct. 8, 1607. *Patent Rolls*, 5 Jac. I., Part 24. On Feb. 15, 1609, there was a grant to Salter for making certain glass, not mentioned in Bowes' patent.

† Grant to Zouch and others, March 25, 1611. *Patent Rolls*, 9 Jac. I., Part 29.

soon be impossible to find timber for the navy. Bowes was accordingly informed that his patent was injurious to the commonwealth. After some negotiation, a compromise was effected. A new patent was granted to his rivals, by which a rent of 1000*l.* a-year was reserved to the Crown; and this sum was made over to Bowes in the form of an annual pension from the Exchequer.* In 1615, several fresh names were introduced into the patent,† amongst which are to be found those of the Earl of Montgomery and Sir Robert Mansell. It was well understood that the accession of one or two persons possessing influence at Court, might easily be worth many thousand pounds to the patentees.

1613.

1615.

One other step remained to be taken. Up to this time, if English glass could only be bought from the patentees, it was still possible, upon payment of a heavy duty, to obtain glass from the Continent. This was no longer to be allowed. On the 15th of May, 1615, a proclamation appeared forbidding the further importation of foreign glass.‡

The history of this patent is well worth studying by those who think that the monopolies were solely the work of Buckingham and Bacon. For it will be seen, that before Buckingham had risen into favour, and before Bacon had received the great seal, a monopoly was made out which placed the entire sale of glass in the hands of a single body of patentees; and that that body consisted in part of idle courtiers, in part of men whose sole claim was that they had discovered a mode of producing glass by which, without special protection, it would be impossible for them ever to make a profit. It was by considerations of public policy that the scale was turned in their favour.

1611. Gold and silver thread.

Comparatively few objections were raised against the monopoly of glass. In 1624 it was specially exempted from the operation of the act against monopolies. Against the patent for the manufacture of gold and

* Grant to Zouch and others, March 4, 1614. *Patent Rolls*, 11 Jac. I., Part 16. Suffolk to Lake, Nov. 17, 1613. *S. P. Dom.* lxxv. 9.

† Grant to Montgomery and others, Jan. 19, 1615. *Patent Rolls*, 12 Jac. I., Part 3.

‡ Proclamation, May 23, 1615. *S. P. Dom.* clxxxvii. 42.

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1611. silver thread, on the other hand, a storm of indignation was raised which has not yet subsided. If all that is said of it be true, Bacon's character as an honest man is irretrievable. The investigation into the facts of the case, therefore, assumes a special importance.

The first patent. During the early years of James's reign, the gold and silver thread used in making lace was imported from the Continent. Attempts had been made to introduce the manufacture into England; but they had been conducted on a very small scale, and they do not appear to have given rise to any serious competition with the imported commodity. At last, at Lady Bedford's request, Burlomachi, the great capitalist of the day, brought over to England a Frenchwoman, named Madame Furatta, who engaged to give lessons in the manufacture;* and an application was made, under Lady Bedford's patronage, for the protection of a patent by four persons named Dike, Fowle, Phipps, and Dade. They intended, they urged, to introduce the manufacture on a considerable scale, and thereby to give work to Englishmen, which had hitherto been in the hands of Frenchmen and Italians. They engaged to make over a share in the patent, or, according to other accounts, a sum of 1000*l.* to Lady Bedford, as a reward for the part which she had taken in bringing Madame Furatta into the kingdom. Their application was successful; and in 1611 the patent for which they asked was granted.

It was not long before attempts were made to infringe upon it. In 1613 and 1614, we find Sir Henry Montague, at that time Recorder of London, imprisoning offenders and taking away their tools.

1616. The second patent. The attention of the Council was accordingly drawn to the question. Both sides were heard. The deliberation was long and anxious. For no less than seventeen months, Ellesmere refused to affix the great seal to a new patent which had been drawn up. At last he gave way, satisfied, it would seem, that the manufacture was

* Lady Bedford's part has hitherto been enigmatical, and I had supposed in my paper on this subject in the *Archæologia*, that it was an ordinary case of Court favour. But the difficulty is cleared up by a passage in Yelverton's Defence, April 30, 1621, as given in *Elsing's Notes*.

practically a new one, and that in it lay the only chance of competing with the Continent. 1616.

The new patent was made out in the names of Dike, Fowle, and Dorrington. They were to have, for twenty-one years, the sole right of making gold and silver thread as it was made in France and Italy. In return, they were to engage to import bullion to the yearly amount of 5000*l.*, and to pay to the King a rent equal to the sum which he obtained from the duty upon importation, which might now be expected to fall off in consequence of the growth of the domestic manufacture. The Privy Council, it was said in explanation, had examined the truth of the allegation that the thread in question had been made by others before the grant of the first patent, and had come to the conclusion that, though the manufacture "had been formerly in handling and endeavoured to be settled within this kingdom," it had "never been established and perfected within this realm, nor constantly or openly used before the granting of the said letters patents."

Share taken by Sir E. Villiers.

The patentees knew as well as the patentees for the monopoly of glass the value of Court favour, and they gladly welcomed the accession of Sir Edward Villiers, the half brother of the rising favourite, who consented to invest 4000*l.* in the undertaking.

1617.

Resistance to the patent.

From some cause or other the business did not prosper. The goldsmiths, who had been heard at the council-table previously to the grant of the second patent, persisted in maintaining its illegality. In April, 1617, Sir Edward Villiers brought their grievances before his brother and the King. On the 16th of April, Buckingham wrote to Yelverton requesting him to support the patent. About the same time the affair was commended by the King to the consideration of the Council; and on the 25th Yelverton was instructed to lay an information in the Court of Exchequer against the offenders.

Proceedings were accordingly commenced. But the attempt to obtain a legal decision was speedily abandoned. No depositions were taken, and no judgment was demanded. Scarcely had the bill been filed in the Exchequer, when Villiers and Fowle brought Yelverton a

CH. V. 1617. letter written by the King, who was at that time in Scotland, in which he was ordered to commit the offenders to prison, in what capacity does not appear. This letter, he afterwards stated, "he kept by him, thinking the King not well informed."

1618. The monopoly taken into the King's hands. In due course of time James returned to England. A project was adopted which, it was hoped, would inspire offenders with greater terror. The manufacture was to be taken altogether into the King's hands. Fowle became the agent of the Crown. The profits were to be the King's, and out of these a pension of 500*l.* a-year was to be allowed to Sir Edward Villiers, who had sunk 4000*l.* in the scheme; and another pension of 800*l.* a-year to Christopher Villiers, for no reason at all.

A proclamation, authorising this arrangement, was issued on the 22nd of March, 1618. Its substitution for the patent of 1616 was a virtual acknowledgment that the case of the Government was legally untenable, and that the Court of Exchequer could not be depended upon to support its claims. Yet the act, unjustifiable as it seems to us, was undoubtedly in great measure Bacon's own.* He was now, for the first time, consulted in the business. With the grant of the monopoly itself, Bacon had nothing to do. In 1616, as in 1611, the great seal had been in Ellesmere's hands. But the step now taken went so far beyond the mere grant of a monopoly, that it becomes important to inquire what his motives were.

Part taken by Bacon.

His opinions on monopolies. It is true that a sentence has frequently been quoted from Bacon's writings which is supposed to preclude the necessity of any further inquiry. In 1615 he had warned the rising favourite to take care that "monopolies, which are the cankers of all trading, be not admitted under specious colours of public good." Yet a sweeping expression of this kind, by whomsoever put forth, is certain to be mentally accompanied by limitations which are forgotten by those whom it reaches in later generations. In truth, it would be as reasonable to charge with inconsistency any one amongst the numerous agitators who,

* Yelverton subsequently spoke of him as "mending many points therein with his own hand."

within our own times, declaimed against the Corn Laws as a monopoly, because he took out a patent for a newly-invented machine, as it is to speak of Bacon as necessarily contradicting his own principles by his conduct on this occasion. In 1621, Yelverton declared before a hostile audience his belief that this patent was no monopoly;* and though no similar expression from Bacon's lips has reached us, there happens to be a curious piece of evidence which indirectly shows what his opinion was. In 1619 a declaration which had, many years before, been issued for the guidance of suitors, was reprinted. It contained information as to the classes of suits which the King bound himself to reject, and at the very head of these classes occurs the word "monopolies." Is it conceivable that this declaration could have been published without Bacon's knowledge? And if he had believed that the grants in question were monopolies in the objectionable sense of the word, would he not have obtained the suppression of the condemnatory document?

Already in the House of Commons, in 1601, Bacon had declared his opinion on the subject. He had there spoken of patents as commendable in cases in which "any man out of his own industry or endeavour finds anything beneficial for the commonwealth, or brings in any new invention," meaning, it would seem, introduces it from a foreign country.

Patents for manufactures introduced from abroad.

Nor is this concession of an equality of privilege to original inventors and to persons who merely introduce an invention from a foreign country peculiar to Bacon. Its principle was taken for granted by both sides in the conflict which ensued. It was left untouched by the statute of monopolies in 1624, and it is to this day held by lawyers to be in accordance with the law of England.†

The objection which was raised in the following session

* "He never conceived it to be a monopoly, nor doth . . . . He never thought it a monopoly." Yelverton's Defence, April 30, 1621. *Elsing's Notes.*

† By the statute of monopolies patents for fourteen years may be granted for the "sole working or making of any manner of new manufactures within this realm." The interpretation put upon this is, that "a person who first imports an invention publicly known abroad into this country is the first inventor within these realms." Chitty, *Collection of Statutes*, ed. 1853, iii, 445, note *b*.

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against the patents of 1611 and 1616 therefore was not that they conferred a monopoly upon a manufacture introduced from abroad, but that, in point of fact, the manufacture was not introduced by the patentees at all. To do them justice, those who spoke on behalf of the Government always acknowledged that, according to the strict letter of the law, this was true. Gold thread, they said, had been manufactured in England before. Stripped of its technicalities, their language amounts to this :— Though the patentees were not the first to make the thread in England, they were the first to set up a manufacture on a sufficient scale to compete with the importation from the Continent. The object of the grant had not been primarily to reward the patentees, but to benefit the nation ; and, if it had been shown that, owing to the efforts of the patentees, the manufacture could be introduced on a large scale into England, the Government had been justified in overriding the claims of those whose labours, whatever they were, had failed in bringing the manufacture into English hands.

Such ideas, which had justified the monopoly in the eyes of Ellesmere, were likely to have their full weight with Bacon. Yet it must be acknowledged that, in passing by the Court of Exchequer, he can hardly fail to have been led by stronger reasoning than this. Nor is it difficult to discover what that reasoning was. To him and to his contemporaries a trade in gold and silver stood upon a peculiar footing. To us a dealer in the precious metals is no more than a dealer in cotton or iron. To the men of the seventeenth century he was a dealer in the very wealth of the country. To allow gold and silver to be tampered with by artisans who were under no supervision, was to authorise the most unblushing robbery of the commonwealth. The patentees had offered to meet the difficulty. They had engaged to import 5000*l.* worth of bullion every year, and the King's agents would of course inherit the engagements of the patentees. If wealth were to be frittered away in adorning the dress of fine ladies and fine gentlemen, it should be the wealth of Spaniards and Frenchmen, and not the wealth of Eng-

lishmen. Such arguments sound strange enough to us, but it is hopeless to arrive at truth if we do not take them into consideration.

The act of Henry VII.

In an act of the reign of Henry VII., Bacon found the weapon that he needed. The goldsmiths had urged that they had made gold thread before Dike and Fowle. The reply of the Government was that, if this was the case, they had broken the law; for the law expressly forbade any goldsmith to melt or sell gold and silver except for certain special objects, amongst which the manufacture of gold or silver lace was not to be found. The action in the Court of Exchequer had therefore become irrelevant, and as no one else had a right to make the thread, the King might properly take the manufacture into his own hands.

The first commission.

That in pursuance of a great public object Bacon should have thought himself justified in raking up an obsolete statute is easily conceivable. But it must have required all his belief in the prerogative to bring him to consent to set aside entirely the jurisdiction of the ordinary law courts by the issue of a commission for the discovery and punishment of offenders against the proclamation.

Imprisonment of workmen.

It was not long before the new Commissioners, the most active of whom was Sir Francis Michell, were hard at work. Instruments were seized and artificers imprisoned on every side. Yet even these stringent measures were insufficient to suppress competition. The King was again appealed to, and, upon the advice of Bacon, Montague and Yelverton, a fresh commission was issued in October, increasing the powers of the members and authorising the prosecution of offenders in the Star-Chamber. Several new names were added to the list of Commissioners, amongst others, that of the notorious Mompesson, whose unscrupulous energy in carrying out the patent for inns, marked him out as a person who would render good service in hunting down the opponents of the monopoly of gold and silver thread.

Second commission.

1619.

Renewed imprisonments.

A prosecution was accordingly commenced in the Star-Chamber; but for some reason or another it was not proceeded with. The Commissioners on the other hand

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were more active than ever. In the spring of 1619 there were fresh imprisonments; houses were broken into, and tools and engines seized.

Bonds forced upon the gold-smiths and silkmen.

It was at this time that a new plan was suggested to James by Bacon and Montague.* The goldsmiths and silkmen, they thought, might be required to enter into bonds not to sell their wares to unlicensed persons. The King accepted the proposal, and wrote a letter recommending it to the Commissioners.† Mompesson and Michell at once hastened to carry the scheme into execution. Five silkmercers were brought before the Commission. Mompesson told them that if they refused to seal the bond "all the prisons in London should be filled, and thousands should rot in prison." But those who were interested in the monopoly were anxious to secure higher authority on their side than Mompesson and Michell. Yelverton was one of the Commissioners, and his support would be worth having; but it was known that he was growing cold in the affair. He was frightened at the irritation which had been aroused. Sir Edward Villiers accordingly visited him, hoping to spur him on to action. The business, he said, lay a bleeding, and, if he did not help him, all would be lost. Yelverton hardly knew what to do. He was afraid of giving offence to Buckingham, and he was no less afraid of giving offence to everybody else. At last he decided upon a middle course. He committed the silk-mercers to the Fleet, but at the same time threw the whole burden of the responsibility upon Bacon. If the Lord Chancellor, he said, did not confirm the commitment, he would instantly release them. Bacon, who never shrunk from responsibility, had the men brought before him, heard what they had to say, and sent them back to prison.

The whole city was in an uproar. Four aldermen offered to stand bail for the prisoners in 100,000*l.* A deputation was sent to the King, who listened to the objections against the proceedings of the Commissioners, answered that he would not govern his subjects by bond, and ordered the men to be set at liberty.‡

* *Elsing's Notes*, April 30, 1621. † *Ibid.*

‡ The fact that the liberation by the King occurred at this stage of the

1619.

The concession thus made was, however, only the result of momentary good nature. It was not the commencement of any change of policy. On the 10th of October a fresh proclamation was issued authorising the continuance of the system.

Second proclamation.

"Whereas," such was the tenor of the argument upon which the proclamation was based, "the art or mystery of making gold and silver thread (a commodity of continual use in this our kingdom of England) hath formerly been used and made by strangers in foreign parts only, and from thence transported into this our realm, but of late hath been practised by some of our loving subjects, who by their great charge and industry have so well profited therein, and attained to such perfection in that art that they equal the strangers in the skilful making thereof, and are able by the labours of our own people to make such store as shall be sufficient to furnish the expense of this whole kingdom:—And whereas we, esteeming it a principal part of our office as a king and sovereign prince to cherish and encourage the knowledge and invention of good and profitable arts and mysteries, and to make them frequent amongst our own people, especially such wherein our people may employ their labours comfortably and profitably, and many thereby may be kept from idleness, hereby to preserve and increase the honour and wealth of our State and people:—And finding that the exercising of this art or mystery (considering the continual use of bullion to be spent in the manufacture thereof) is a matter of great importance, and therefore fitter for our own immediate care than to be trusted into the hands of any private persons, for that the consumption or preservation of bullion, whereof our coins, the sinews and strength of our state are made, is a matter of so high consequence, as it is only proper for ourself to take care and account of:—We have heretofore, to the good liking of the inventors thereof, taken the said manufacture of gold and silver thread into our hands, and so purpose to retain and con-

proceedings, which was a matter of inference before, is placed beyond doubt by a passage in Serjeant Crewe's statement before the House of Lords on the 18th of April, 1621. "The second proclamation came after the commitment and the King's enlargement." *Elsing's Notes.*

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tinue it, to be exercised only by agents for ourselves, who shall from time to time be accountable to us for the same."

Bacon's policy.

These words may fairly be taken as Bacon's defence of himself. It is impossible for any candid person to read them without coming to the conclusion that he was contending for a great public policy. That his policy was erroneous there can be no doubt whatever. It was not really of the slightest importance that bullion should be kept within the realm by artificial means. It was of the very highest importance that questions arising from royal grants should not be withdrawn from the jurisdiction of the ordinary courts, to be placed in the hands of a Royal Commission. But in justice to Bacon it must be remembered that his constitutional theory was never fairly carried out. He would have assigned large powers to the Crown, but he would have kept those powers from being used abusively, by providing that the King should be constantly enlightened by frequent Parliaments. According to him, the constitutional relation between the Crown and the representatives of the people was very similar to that which prevails in France under the second empire. That such a relation is in the long run untenable, it is impossible to doubt. In England it never had a fair chance. James took one half of Bacon's policy, and rejected the other.

Failure of the monopoly.

The system thus formally authorised was rigorously carried out. Unlicensed packets of thread were seized in every direction. Bonds were forced upon the unwilling silkmen. But it was all in vain. The manufacture did not pay. The bullion which was to have been imported was not imported. The coin of the realm was melted down. The city was in a state of increasing exasperation, and no result had been obtained.*

1620. Nov. Bacon's advice to withdraw

Such was the state of feeling on the subject, when Bacon, in common with the two Chief Justices, was called upon to consider the course to be adopted in meeting the expected Parliament.† He saw how unpopular

* I have printed many of the principal documents on this subject in a paper "On four letters from Lord Bacon to Christian IV." in the 41st volume of the *Archæologia*, where will be found references to further evidence.

† Burton to Carnsew, Nov. 4. *S. P. Dom.* cxvii. 55.

many of the patents had become, and in accordance with his wise principle that the strength of the Government depended on its capacity for leading the country, he recommended that the patents should be examined by the Privy Council, and that those of them against which just exception could be taken should be called in.* In a private note written at the same time to Buckingham, he pointed out that his brother Christopher and some of his followers were interested in the most obnoxious patents, and urged him to "put off the envy of these things." In themselves they bore "no great fruit," and it would be better to "take the thanks for ceasing them, than the note for maintaining them."† Buckingham, it would seem, refused to be convinced. The question was discussed in the Council, and was decided against Bacon. The patents were to be left to Parliament to deal with as it pleased. In other words, the King, in domestic matters as well as in foreign affairs, was to abdicate the highest functions of government, and to present himself to the Houses without a policy.

some of the patents.

December. His advice rejected.

"The King," wrote Bacon to the favourite, "did wisely put it upon a consult, whether the patents were at this time to be removed by Act of Council before Parliament. I opined (but yet somewhat like Ovid's mistress, that strove, but yet as one that would be overcome), that yes."‡ The words were characteristic of the writer. Of open relinquishment of his own opinions, or of deliberate action in contradiction to them, he may fairly be acquitted. There can be as little doubt that he regarded the patents as good things in themselves, as that he held it to be unwise to persevere in the face of the opposition which they had provoked. But seeing, as he did, the only safety for the State in the restraint placed upon pedantic lawyers and unintelligent country gentlemen by the full exercise of the prerogative, he was as blind to the evils with which the extension of the prerogative was accompanied, as Canning was blind to the evils which accom-

* Bacon, Montague, and Hobart to Buckingham, Nov. 29. *Bacon's Works*, ed. Montagu, xiii. 105.

† Bacon to Buckingham, Nov. 29. *Works*, ed. Montagu, xiii. 398.

‡ Bacon to Buckingham, Dec. 16. *Works*, ed. Montagu, xiii. 26.

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panied the existence of the rotten boroughs. Nor did he think it a shame to descend to the petty arts of cajolery in order to gain a motive power for the work upon which he was bent, or to make use of such tools as he found ready to his hand. Where he reposed his trust, he trusted wholly. The Mompessons and Michells were left without restraint to interpret their own patents, and to ride rough shod over opposition as they pleased. Nor, regarding, as he did, the patents as good things in themselves, was Bacon likely to be startled by the discredit brought upon his policy by the profit which accrued from them to the King and to the courtiers. In truth, that profit was not great. From the whole number of them the Exchequer was not the richer by more than the modest sum of 900*l.* a year.* It cannot be shown that a single penny found its way into Buckingham's pocket. Sir Edward Villiers, indeed, received a guarantee of a pension out of the patent for gold and silver thread; but this pension was nothing more than a fair dividend upon the money which he had actually invested. Whether it was paid or not, we do not know, but we do know that, though a pension of 800*l.* a year was secured upon the same patent to Christopher Villiers, the whole affair turned out so badly, that in reality he received no more than 150*l.* during the whole existence of the monopoly.† An uncertain sum was also reserved to Christopher Villiers out of the patent for alehouses. Lord Purbeck, the remaining brother, received nothing. It was amongst the courtiers of the second and third rank, the royal cup-bearers, and the gentlemen of the bedchamber, that the booty, such as it was, was for the most part divided.

Profits of the courtiers.

Yet small as was the sum brought by the monopolies into the pockets of Buckingham's followers, it was enough to make him take a personal interest in their maintenance, infinitely more vehement than the political interest which was felt by Bacon. Already it was known that

Disgrace of Yelverton.

* In the paper in the *Archæologia*, I quoted an estimate (*S. P. Dom.* cx. 35), of 1883*l.* of which 1000*l.* came from the glass patent. The latter sum should not, however, have been reckoned, as it was paid out again in the pension to Bowes.

† Dike's examination, *Proceedings and Debates*, i. 127.

to be lukewarm in the defence of the monopolies, was to offer a direct insult to Buckingham. The weight of his indignation had fallen heavily upon Yelverton. No one, it might be thought, would have been less open to a charge of slackness in defence of the prerogative. He was no hunter after popularity. In 1610 he had spoken warmly in defence of the impositions. In 1616, he was standing at Bacon's side in opposition to Coke. He had lately assented to the patent for gold and silver thread. But if his opinions were courtly, his nature was rugged and independent. He had owed his advancement to the favour of the Howards, and he had submitted with impatience to the yoke of Buckingham. Against the patents themselves he had raised no objection when an objection would have availed; but his indignation was roused by the interference of Buckingham's brothers, and of Buckingham's dependants. The course which he adopted was the worst possible for himself. He disgusted the nation by lending his name to everything; he disgusted the Court by the reluctant and perfunctory manner in which he carried out the bidding of the favourite.

His sentence in the Star-Chamber.

As usual, Buckingham looked upon all opposition as a personal insult to himself. No revenge was beneath his dignity. He took care that the lucrative business which was looked upon as the perquisite of the Attorney-General should find its way into other channels.* At last an opportunity presented itself for striking a heavier blow. In drawing up a new charter for the City of London, Yelverton inserted clauses for which he was unable to produce a warrant. The worst that could be said was that he had, through inadvertence, misunderstood the verbal directions of the King. No imputation of corruption was brought against him, yet he was suspended from his office and prosecuted in the Star-Chamber. He was there sentenced to dismissal from his post, to a fine of 4,000*l.*, and to imprisonment during the Royal pleasure.†

Legal promotions.

In regular succession the place vacated by Yelverton

* *Proceedings and Debates.*

† Chamberlain to Carleton, June 28, July 8, Sept. 9, Oct. 28. Speech of Sir H. Yelverton, Oct. 27. Locke to Carleton, Nov. 11. —— to ——, Nov. 15. *S. P. Dom.* cxv. 122; cxvi. 13, 92; cxvii. 37, 35, 71, 76. Sir H. Yelverton's submission. *Cabala* (1696), 375.

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was occupied by Coventry. Heath became Solicitor-General; and this time the City was forced to accept Shute as their Recorder, in the place of Heath. It was soon whispered that something more than mere favouritism had led to these last appointments. Heath and Shute, it was said, had agreed to relinquish to Buckingham the pensions which were paid to them as the price for the use of their names in the office in the King's Bench, which had practically been granted to himself.* Fortunately for the citizens, they were soon set free, by Shute's death, from their disreputable Recorder, and in Heneage Finch they obtained a successor of a very different character.

December. Montague becomes Lord Treasurer.

For two years Montague had been grasping at promotion of another kind. He had never felt himself thoroughly at home in Coke's seat, and soon after the dismissal of Suffolk, he had not scrupled to offer 10,000*l.* to the favourite for the Treasurer's staff.† At the time his offer was rejected, as the King wished that the state of the finances should undergo a thorough investigation before a new appointment was made. The reasons for delay had now lost their force, and hints were allowed to reach Montague's ears, that the Treasurership was within his reach, whilst at the same time it was intimated to him that the King would accept a liberal present. After some haggling, a bargain was struck at 20,000*l.*, and Montague became Viscount Mandeville, and Lord High Treasurer of England. As he was starting for Newmarket, to receive at the King's hands the white staff which was the symbol of his office, Bacon met him. "Take care, my lord," he drily remarked, "wood is dearer at Newmarket than in any other place in England.‡

* Chamberlain to Carleton, Feb. 3, 1621. *S. P. Dom.* cxix. 64. See *History of England*, 1603—1616, ii. 290.

† Montague to Buckingham, Jan. 3, 1619. *Bacon's Works*, ed. Montagu, xvi. 227.

‡ Bacon's Apophthegms. *Works*, vii. 181. Buckingham afterwards asserted that the money was only a loan for a year (*Rushworth*, i. 334, 387). But it would seem from the letters published by Montagu (*Bacon's Works*, xvi. 228), that this was not the case. An unpublished letter of Mandeville's points in the same direction. Writing in 1623 to the King, he says "I know well the necessity of the time. But my own, occasioned by your service, so presses me, that your Majesty will pardon the presumption and allow me the liberty to remember that your Majesty called me from the place of Chief Justice to be Lord Treasurer, in which place, after I had served you some nine months, I freely rendered up the place into your

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1620. December. Sir James Ley Chief Justice.

Mandeville's successor on the Bench was Sir James Ley. Four years before, he had offered 10,000*l.* in vain for the Attorney-Generalship. He now declared himself ready, at the age of sixty-eight, to marry Elizabeth Butler, a young girl who had the privilege of being Buckingham's niece. The jesters had their laugh at the ill-assorted match. The Countess of Buckingham, it was said, deserved high praise for taking such care of her relations. It was a special work of charity. There were already six or seven more young women hurrying up to London to look for husbands with her help.* Other promotions of less importance followed. The King's old favourite, Haddington, the Ramsay who had stood so manfully by him at the time of the Gowry conspiracy, became Earl of Holderness in the English peerage. The Chancellor of the Exchequer, Sir Fulk Greville, obtained a seat in the House of Lords by the title of Lord Brooke.

1621. January. Bacon created Viscount St. Alban.

Nor was Bacon left without a share of the Royal favour. On the 27th of January, he was raised to a higher grade in the peerage by the title of Viscount St. Alban. He was now at the height of his prosperity. On the 22nd, there was high feasting at York House, the stately mansion which had once been tenanted by his father, and which had become the official residence of the Chancellor of the day. It was the last birthday which he was destined to spend in the full consciousness of honour and success. Ben Jonson was there amongst the guests, bringing with him the lines which he had prepared to recite in celebration of the greatness of his patron. "This," he said, addressing his words to the fabled genius of the house:—

Ben Jonson's verses.

" This is the sixtieth year
Since Bacon and thy Lord was born, and here,
Son to the grave, wise keeper of the Seal,
Fame and foundation of the English weal.

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hands, putting myself upon your Royal promise, secured also by the word of my Lord of Buckingham, which, in honour, I doubt not but he will make good." Mandeville to the King, April 2, 1623. *Harl. MSS.* 1581, fol. 264. There can hardly, I think, be a doubt that the money was originally a gift to Buckingham, but that afterwards, when Mandeville was dismissed, James promised that it should be treated as a loan to be repaid within a year.

* Chamberlain to Carleton, Feb. 3, 1621. *S. P.* cxix. 64.

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What then his father was, that since is he,
Now with a title more to his degree:
England's High Chancellor, the destined heir,
In his soft cradle, to his father's chair;
Whose even thread the Fates spin round and full,
Out of their choicest and their whitest wool."

The "Novum Organum.'

To the outward adornments of rank, to its pomp and splendour, to the new grandeur of the old abode which had sheltered him in his infancy, to the flowery lawns and soft beauty of the woods at Gorhambury, Bacon clung fondly in sunshine and in storm. But he had not made these things the purpose of his life. In the midst of the state which he kept, in the midst of the political occupations by which he hoped to serve his King and his country, he had kept steadily in view that great scientific object to which, above all things, he had devoted himself. And now at last the "Novum Organum," the fragmentary relic of that grand scheme for the restoration of the sciences which had floated before his youthful imagination in the days when he boasted that he had "taken all knowledge for his province," had passed through the press. For the reception with which it met, he cared but little: Coke might recommend him with a snarl to restore the justice and the laws of England, before he meddled with the doctrines of the old philosophers; James might meet him with the silly jest that the book was like the peace of God, because it passed all understanding. It was for posterity that he worked, and for the judgment of posterity he was content to wait.

Its defects

Yet in truth, it was not altogether the fault of Bacon's contemporaries that they failed in appreciating the merits of his work. As a practical book, addressed to practical men, it was as complete a failure as was the commercial policy of its writer. He fancied, indeed, that he had discovered a method by which the whole domain of nature might be explored with a very moderate amount of labour, and by which the acquisition and retention of knowledge might be reduced almost to a mechanical certainty.* Yet,

* "Absolute certainty and a mechanical mode of procedure such that all men should be capable of employing it, are the two great features of the Baconian method." Ellis. Introduction to the Philosophical Works. *Works*, i. 23.

in fact, the method which he invented, has never been of the slightest use to any scientific inquirer. Nor was it Bacon's method alone that was at fault. In spite of the value which he placed upon experiments, he seems to have been intellectually incapable of conducting a single experiment properly. The great preacher of accurate investigation, was constantly casting ridicule upon his own pretensions by accepting the most ludicrous blunders as undoubted truths. He tells us, for instance, that metals never expand when heated, and that a wooden arrow will penetrate more deeply into a wooden target than one pointed with iron.* He did not even take the trouble to acquaint himself with the labours of contemporary investigators; and he actually ventured to write about astronomy, in ignorance of the discoveries of Kepler, and to write about mathematics, in ignorance of the discoveries of Napier.†

and merits.

Yet, strange to say, these errors, instead of detracting from Bacon's greatness, serve but to increase our admiration of his powers. There would be nothing wonderful if a man in the foremost ranks of science, the Newton or the Faraday of his day, were to indicate the probable direction of future inquiry. But that which gives to the author of the "Novum Organum" a place apart amongst "those who know," is, that being, as he was, far behind some of his contemporaries in scientific knowledge, and possessing scarcely any of the qualifications needed for scientific investigation, he was yet able, by a singular and intuitive prescience, to make the vision of the coming age his own, and not only to point out the course which would be taken by the stream even then springing into life, but to make his very errors and shortcomings replete with the highest spirit of that patient and toilsome progress from which he himself was turning aside.

Bacon's philosophical position.

A great writer who has been unjust to Bacon, not because he loved Bacon less, but because he loved England more, has compared him to Moses looking from the heights

* *Nov. Org.* ii. 18, 25.

† Ellis. Preface to the "Descriptio globi intellectualis." Compare Mr. Spedding's remarks in his preface to the "De interpretatione naturæ proœmium." *Bacon's Works*, iii. 705, 507.

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of Pisgah upon the Promised Land which was hidden from the eyes of the multitudes below. It would perhaps be more just to compare him to the traveller who from some lofty peak surveys a mountain region without the assistance of a map, than to one who looks down upon a plain stretched beneath his feet. Such an one gains a new and overpowering sense of the general geographical features of the landscape. He sees the mountain forms piled confusedly around him, and, for the most part, he can distinguish the furrows of the greater valleys. Here and there the gleam of a lake, half concealed by intervening obstacles, will catch the eye, and he learns to discern the softened greenness of the distant plain. As he descends, he carries with him in his mind's eye that which no map could have given him. Yet, to construct even the roughest map from the knowledge thus gained would be far beyond his powers. He will remember how soon the course of the stream or of the pathway was hidden amongst the windings of the hills; and even if he is aware of the geographical position of the city to which his steps were directed, he will know that any attempt to reach it in a straight line would be met by the intervention of some precipitous abyss abruptly barring his passage. He will be condemned to wander hopelessly amongst a network of undistinguished tracks, until he resigns himself to the guidance of some peasant whose practical acquaintance with the path is greater than his own.

His political position.

It is in Bacon's philosophy that the key to his political life is to be found. In its general conceptions, his statesmanship was admirable. The change which was to make religion thoughtful and tolerant, and the change which was to make England the home of peaceful industry and commercial activity, were ever present to his mind. He took no part in the wrangling disputations of contending theologians; he turned a deaf ear to the interruptions of legal pedants whenever he thought them likely to check the rise of the Birminghams and the Liverpools of the future.

His ideas on political economy.

It is only natural that we should expect that one so highly endowed with prescience by nature should have been able to see more clearly than his contemporaries

what was lying beneath his feet. But it was not so. In political economy especially, the absurdities which were indisputable truths to the ordinary country gentleman and to the ordinary city merchant, were no less indisputable truths to him. But whilst ordinary men were not easily hindered by any logical inconsistency from raising a wild outcry against the consequences of the principles which they professed, Bacon was slow to be deterred, by any dislike of the immediate results, from carrying out to the end a policy which he had once adopted as beneficial to the country. It was very well for lawyers and aldermen to forget all that they had ever believed about the value of the precious metals, in their sympathy for a few imprisoned workmen, and their disgust at the overbearing lawlessness of Mompesson. But Bacon could not forget it. The workmen might be honest men. Mompesson might be a scoundrel. But if gold was not kept in the country, England would be ruined.

On parliamentary government.

No point of Bacon's political system has been so thoroughly discarded by later generations as that which deals with the relation between the Crown and the Houses of Parliament. Yet even here his mistake lay rather in the application of his principles than in the spirit by which they were animated. His hardest blows were directed against the error of which the French Constituent Assembly of 1789 has furnished the weightiest example; the error which regards the Executive Power and the Representative Body as capable, indeed, of treating with one another on a friendly footing, but as incapable of merging their distinct personalities in each other. It was thus that the Great Contract of 1610 was utterly distasteful to him. The King and the Lower House, he held, were not adverse parties to enter into bargains. They were members of the same Commonwealth, each charged with its appropriate functions. It was not well that the King should redress grievances merely because he expected to receive something in return. It was not well that the Commons should vote supplies as the purchase-money of the redress of grievances. If the King wished to have obedient and liberal subjects, let him place himself at their head as one who knew how

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to lead them. Let the administration of justice be pure. Let the exercise of the prerogative be beneficent. Let Parliament be summoned frequently, to throw light upon the necessities of the country. If mutual confidence could be thus restored, everything would be gained.*

In proclaiming this doctrine, Bacon showed that he had entered into the spirit of the future growth of the constitution as completely as he showed, in the "Novum Organum," that he had entered into the spirit of the future growth of European science. That it is the business of the Government to rule, and that it is also the business of the Government to retain the confidence of the representatives of the people, are the principles which, taken together, distinguish the later English Constitution from constitutions resting upon assemblies formed either after the model of the first French Empire or after the model of the Popular Assembly of Athens. Yet no man would have been more astonished than Bacon, if he had been told what changes would be required to realise the idea which he had so deeply at heart. Clinging to the old forms, he hoped against hope that James would yet win the confidence of the nation, and he shut his eyes to the weakness and folly which rendered such a consummation impossible.

Bacon's foreign policy.

So far, indeed, is it from being true that the domestic policy of James must of necessity have been opposed to Bacon's views, that we have every reason to believe that in its main lines it was dictated, as far as it went, by Bacon himself. It was otherwise with James's foreign policy. For, though Bacon looked forward with hopefulness to the time when Europe should no longer be distracted by religious difficulties, he regarded Spain with the deepest distrust, and he cherished the belief that it was a national duty to prevent any further aggression of the Catholic Powers upon the Protestant States on the Continent. In this spirit, he had broken a silence of three years,† by

* See especially a remarkable paper (the knowledge of which I owe to Mr. Spedding), called "Sir F. Bacon on Parliaments." It was written in 1615, and is now in the Inner Temple Library. *Petyt MSS.* vol. 37.

† This silence, which I cannot consider as broken by a fragmentary paper on war against Spain, which he appears never to have used, is an uncontrovertible argument against those who hold that he suited his political

preparing the draft of the proclamation which had been rejected by the King. But unless James was roused from his apathy by some terrible disaster upon the Continent, there was little hope that the approaching session would be marked by that reconciliation between the nation and the Crown which Bacon so eagerly desired.

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1620. The war in Bohemia.

Every day that passed as the winter drew on increased the probability of the speedy arrival of decisive news from Bohemia. The despatches of Sir Francis Nethersole, who, under the modest title of Agent with the Princes of the Union and Secretary to the Electress Palatine, was in reality the English Minister at the Court of Prague, had kept James well informed of the chances of the combatants. Nethersole had been Doncaster's secretary during his embassy; and, as a thorough partizan of Frederick and Elizabeth, he was naturally inclined to over-estimate their chances of success. Yet, on the 25th of August, he was forced to describe their situation in the gloomiest colours. The kingdom, he wrote, was in a dangerous and almost desperate estate. The Elector of Saxony was within two leagues of Bautzen, and the Bavarians had crossed the southern frontier of Bohemia. The King intended to go in person against the enemy as soon as the new levies were completed. "They say," he continued, "they are I know not how many thousands. But when all that, either out of fear or worse affection or doubtfulness of the issue, will stay away themselves and stay others shall be deducted, I doubt they will shrink like the trained bands of this town, which since I came hither did not muster 4000, though I have heard them reckoned at a far greater number." Thurn's army had dwindled away from 9000 to 5000 men. Nor was this the worst. "For towns," Nethersole went on to say, "there is not any one in this kingdom, saving the enemy's, fortified enough to hold out three days. For though his Majesty have been often counselled by strangers to strengthen himself by that means, yet the great commanders and councillors of this kingdom, whom it is not

August. Gloomy despatches of Nethersole.

opinions to the humour of the King. A mere flatterer would have had plenty to say in support of James's pacific policy.

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safe for his Majesty to over-rule, have always dissuaded him from that course upon pretence of their want of means; but, as some think, indeed, because they have more respect to the preservation of the liberties than of the safety of their country, wherein I pray God they do not too late see their error." *

Sept. Hopelessness of Frederick's cause.

With an apathetic peasantry, and a nobility whose thoughts were fixed upon the maintenance of their own privileges far more than upon the independence of their country, a Napoleon might well have thrown up the game in despair. In blissful ignorance of all that was passing around, Frederick closed his eyes to the danger with which his course was beset. On the 18th of September he rode out of the gates of Prague amidst the plaudits of the populace, to join his army. There were some bright gleams upon the scene. Bethlen Gabor had been elected King of Hungary, and was hurrying to the assistance of the Bohemians. Mansfeld was fortifying Pilsen. Sickness was raging in the Bavarian camp. Yet, in spite of all this, the enemy was making fearful strides. Bautzen was besieged by the Saxons. The Bavarians and the Imperialists had met with no serious opposition, and were every day drawing nearer to the capital.† On the 24th, Nethersole had still worse news to give. The Imperialists had taken Pisek, "a considerable place, ... because it is capable of being fortified, which the enemy will not neglect, though our friends have, who had no mind to dig wells till they grew athirst." The town had resisted, and all within it had been put to the sword. A few days later, Prachatitz suffered the same fate. Frederick was anxious to fight, but the enemy was too strongly posted, and no battle was to be had.‡

Oct. 29. The battle of Prague.

At last, on the 29th of October, Frederick had his wish. Outside the walls of Prague, upon the White Hill, the decisive struggle took place. The Hungarians, upon whose assistance he had placed such reliance, set the example of flight. The battle was lost; and the next day

* Nethersole to Naunton, Aug. 15. *S. P. Germany.*
† Nethersole to Naunton, Sept. 22. *S. P. Germany.*
‡ Nethersole to Naunton, Sept. 24, Oct. 1. *S. P. Germany.*

Frederick was flying for his life towards the passes which lead through the giant mountains into Silesia.

There are defeats from which recovery is possible, but the rout of Prague was not one of these. It was no merely military disaster. Frederick had placed himself at the head of an armed mob without national cohesion, without organization, and without definite purpose. The chiefs were as incompetent as the soldiery. Mansfeld, offended that a post to which he laid claim had been given to another, was sulking at Pilsen without a thought for the common cause. The Prince of Anhalt's command of the main army was merely nominal. Thurn and Hohenlohe each thought himself better qualified for command than any one else. Whilst the generals were disputing, the soldiers, without pay, and almost without provisions, were on the verge of mutiny, and were supporting a precarious existence by robbery and pillage.

Frederick himself had done but little to sustain his falling cause. His was not the spirit which could breathe life into the dead bones of the Bohemian nationality. At the council table and in the camp he was equally powerless. At the moment when the fate of his dynasty was decided on the field, he was hiding his incapacity within the walls of the city, and was busily engaged in entertaining at dinner the English ambassadors, Conway and Weston, who had reached Prague just in time to witness the catastrophe which destroyed for ever the hopes of their master's son-in-law.*

Fall of the Bohemian aristocracy.

The reign of the Bohemian aristocracy was at an end. Protestantism, unhappy in its champions, was lying bleeding at the feet of the conqueror. The Royal Charter was sent in triumph to Vienna. After some months' delay, twenty-six of the revolutionary leaders, protesting to the last the justice of their cause, perished on the scaffold. The men who preserved the traditions of

* "On the Sunday morning news came that . . . the horse upon the outflanks of the army did skirmish. We were invited to dine with the King, where, for ought we could discover, there was confidence enough, and opined that both the armies were apter to decline than to give a battle. After dinner the King resolved to go to horse to see the army. But, before the King could get out of the gate, the news came of the loss of the Bohemian cannon." Conway to Buckingham, Nov. 18. *Harl. MSS.* 1580, fol. 281.

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Bohemian independence were scattered over the Continent. Upon the estates torn from the vanquished a new aristocracy arose, German by birth and interest, in whose hands the possession of the confiscated estates of the great native families was the surest pledge of fidelity to the House of Austria.

The new Austrian monarchy.

The lost supremacy of a feudal aristocracy is hardly to be regretted in itself. But in Ferdinand's hands the change became the instrument of unmixed evil. In his hatred of anarchy the Emperor could see no good thing in Protestantism. The Bohemian Brothers, the faithful guardians of the religious life of the country, were at once forbidden the exercise of their religion. The monster cups, the symbol, in the popular mind, of the triumphs of Ziska and Procopius, were dragged down with contumely from the walls of the churches. The Lutherans indeed still held a precarious existence, till circumstances made it convenient to suppress them. All free thought, all independent national life was crushed out under the leaden rule of an alien aristocracy, and the leaden discipline of the returning Jesuits. Dull adherence to routine and unquestioning submission to authority were the principles upon which the renovated monarchy of the Hapsburgs was to take its stand. Even this, no doubt, was better for the moment than the anarchy and helplessness which was surging around. But the day would come when greater warriors than Frederick would test the strength of the new edifice with the sword, and when the artificial arrangements of Ferdinand and his successors would prove all too weak to resist the living energy of national organization. The tree which was planted on the White Hill before the walls of Prague was to bear its bitter fruit at Leuthen, and at Marengo, at Solferino, and at Sadowa; perhaps too, in spite of the higher wisdom which seems at last to be finding its way to the council-table at Vienna, at other unfought fields more disastrous still.

November. Excitement in London.

The first news of Frederick's defeat reached London on the 24th of November. The agitation was great. It was easy to see that, in their hearts, the citizens laid the blame of all that had taken place upon the King. Not

a few took refuge in incredulity. The story, it was said, had come through Brussels, and had probably been invented by the Papists. Many days passed before the unwelcome news was accepted. A full week after its announcement a strange tale gladdened the hearts of all good Protestants. A Scotch horseman, it was said, had dashed into the streets late at night, with news that a fresh battle had been fought, that Prague had been retaken, and that Bucquoi, with many thousands of his troops, had been slain. One enthusiastic lady went so far as to order that a bonfire should be lighted in the streets before her door. But it soon appeared that the whole story about the Scotchman was a pure fabrication. A full account of the battle arrived from Trumbull. Yet, for some time, there were not wanting men who continued obstinate in their disbelief, and bets were freely offered that the Imperialists had never entered Prague at all.

Gondomar threatened.

The day on which the news arrived in London, an anonymous message reached Gondomar, warning him of a plot to murder him, and recommending him to move to a place of safety. He was seriously alarmed by the intelligence. At midnight he confessed, and, as being in peril of life, received the communion together with his household. His attendants kept watch till morning dawned. He then sent to ask protection of the Council, and was promised a guard to preserve him from insult. Even then he was not without anxiety. He had no wish, he said, to be knocked on the head by an enraged Puritan. For some days he did not venture to appear in the streets, and he even talked seriously of retreating to Dunkirk.

Reception of the news by James.

The King and the Prince were at Royston. Charles, whose affection for his sister had never wavered, was greatly distressed. For two days he shut himself up in his room, and would speak to no one. James, on the other hand, though at first he seemed stupified by the intelligence, soon recovered his spirits. "I have long expected this," were the first words that he uttered.*

James may well have felt that a load was taken off his

* Salvetti's *News-Letters*, $\frac{\text{Nov. 30, Dec. 1, 7}}{\text{Dec. 10, ,, 11, 17}}$. Van Male to De la Faille, $\frac{\text{Nov. 30, Dec. 8}}{\text{Dec. 10, ,, 18}}$. *Brussels MSS.*

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mind. There would no longer be a conflict between his wishes and his principles. It would, now at least, be possible to defend the Palatinate without giving a sanction to his son-in-law's aggression. He began again to dream of becoming the peace-maker of Europe.

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December.

Embassies of Morton, Anstruther, and Villiers.

With unusual celerity James hastened to take advantage of the short breathing time which the winter afforded. Wotton's nephew, Sir Albertus Morton, was hurried off to Worms with the 30,000*l.* which had been produced by the benevolence.* The King, he was instructed to say, would "use all means and ways possible by a vigorous war,* not only of defence, but of diversion, if need be, for defence and recovery of the Palatinate." At the same time, Sir Robert Anstruther, who, in the past summer had succeeded in borrowing a sum of 50,000*l.* from the King of Denmark, was sent back to ask for a fresh loan; whilst Sir Edward Villiers was despatched as one who could speak with authority, to tell Frederick himself that assistance would be given him, on condition that he would enter into an engagement to relinquish the Bohemian crown. As soon as Villiers could announce that he had received a satisfactory reply, Digby was to start for the Continent to open the negotiations which, it was hoped, would lead to a lasting peace. Conway and Weston were to be recalled from their purposeless mission, and Wotton, who was of little use where business of real importance was to be transacted, was directed, after urging the Emperor to abstain from harsh measures against Frederick, to return to his dignified retirement at Venice.

Difficulties of the future.

It is seldom that fortune plays so completely into the hands of any one as it had played into the hands of James. He had now a plain course before him. The policy which he had always adopted, so far as he had a policy at all, was now undeniably the right one. It was the only one which could unite all Protestant Europe in

* Naunton to Carleton, Dec. 2. *S. P. Holland.* The King to the Princes of the Union, Dec. *Add. MSS.* 12,485, fol. 55b. From the *Dormant Privy Seal Book*, it appears that on the 8th of January, 31,000*l.* had been paid to Burlamachi out of the Benevolence, for which he had given letters of exchange to Morton. 1500*l.* more were paid on the 10th of January; 1000*l.* on the 14th of February; and 200*l.* on the 27th of July. On the 10th of February the sum received by the King had been 34,211*l.*, and 296*l.* was afterwards paid in.

its defence. It was the only one which Catholic Europe could accept without dishonour.

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Unhappily, the success of this policy was far from being assured; for Frederick was irritated and unreasonable, and it would be a hard matter to bring him to see that his cause in Bohemia was hopeless. The Catholic powers on the other hand, in the full tide of victory, would not be easily restrained by a few soft words from pushing on to inflict condign punishment on the aggressor. The military position of the House of Austria was undoubtedly a strong one. It was hardly to be expected that Mansfeld could make a prolonged resistance at Pilsen. Silesia was lying prostrate at the feet of the Elector of Saxony. The Catholic inhabitants of the Valtelline had lately massacred the Protestant minority who had oppressed them in the name of the neighbouring Republic of the Grisons; and an excuse had thus been afforded to the Spanish Governor of Milan, to occupy a valley which gave him an independent line of communication through Tyrol with Vienna. On the Rhine, nothing had been accomplished against Spinola, and, in spite of the arrival of Vere's reinforcements, the Spaniards had firmly established themselves in the Western districts of the Palatinate.

1621. The Council of War.

Even James perceived that, if peace was to be had, he must appeal to the fears as well as to the goodwill of the combatants. On the 13th of January, a council of war was appointed, for the purpose of deliberating on the measures to be taken for the defence of the Palatinate. The names of its members were such as to inspire confidence in its decisions. By the side of Essex* and Oxford, who had hurried back from Germany as soon as the campaign was at an end, sat Sir Edward Cecil and the Earl of Leicester, both of whom had been trained to war in the Netherlands. To them were added five veteran officers, who had gone through the rough schooling of the Irish wars.†

* It is amusing to find historians of the Civil War justifying Essex's appointment as Parliamentary General, on the ground of the experience which he acquired in the Palatinate. He saw the enemy once, but he never drew sword against him.

† Appointment of the Council of War, Jan. 13. *S. P. Dom.* cxix. 21.

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Mission of Du Buisson.

At the time at which the council of war was being formed, a splendid opportunity was offered to James of impressing Gondomar and the Spanish Government with the belief that he was at last determined to follow his own independent judgment. In the past summer an attendant upon the Prince of Condé, a gentleman named Du Buisson, had made his appearance in England, on the pretext that he had come to buy horses for his master. At an audience which had been granted to him, he had blurted out a proposal that the Prince of Wales should marry the Princess Henrietta Maria. James stared at him, and told him that he was much obliged for the honour done to him, but that he could not break his engagements with Spain so lightly. Du Buisson accordingly soon returned to France. But James had not heard the last of his proposal. Sir Edward Herbert, the future Lord Herbert of Cherbury, who was at this time Ambassador in Paris, took it up with all the warmth of his disposition. An alliance with England, he wrote, would be generally acceptable to the French nation. The Princess herself would gladly consent to the marriage. Some one had spoken in her presence of the difficulties which might arise from the diversity of religion. "A wife," she had replied, "ought to have no will but that of her husband."*

December. Cadenet's embassy.

It was easy for James to dispose of disagreeable overtures made after this fashion. But it was not without considerable annoyance that he learned in December that the brother of the favourite Luynes, the Marquis of Cadenet, was about to visit England upon an extraordinary mission, the purpose of which he could hardly fail to divine. In fact, the French ministers were in a position of no little difficulty. They were beginning to perceive, that in negotiating the treaty of Ulm, they had signed away the supremacy over Germany in favour of the House of Austria. At the same time the clouds were gathering for a fresh civil war at home. Angry at the restoration of the ecclesiastical lands in Bearn to the Catholic clergy, the Protestant malcontents, in defiance

* Herbert to the King, Aug. 14, 1620. *Harl. MSS.* 1581, fol. 15. *Memoires du Comte Leveneur de Tillières*, 25.

of the royal authority, had issued a summons for an illegal assembly to be held at Rochelle. Luynes's object was, therefore, to make sure of the co-operation of England against the House of Austria abroad, and to make sure of its neutrality in the impending civil war at home. 1620. December.

Cadenet was unfortunately a man to whom no one but the most partial of brothers would have thought of entrusting a delicate negotiation. The first thing that he did upon his arrival in England, was to quarrel with Arundel on a point of etiquette. The next thing that he did was to quarrel with Tillières, the ambassador of his own sovereign, upon a similar question.* At a magnificent banquet at which he was entertained by the King, the young French nobles of his train disgusted by their insolence the English who were present. Some of these hot-headed youths actually had the impertinence to leave the hall because they were not allowed to take precedence of the gentlemen of the long robe, as they disdainfully called the Lord Chancellor and the Lord Chief Justice of England.† Bacon, at least, had already formed a correct opinion of the splendid diplomatist. "What think you," said the King, "of the French Ambassador?" "He is a tall, proper man," was the guarded reply. "Ay," persisted James, "but what think you of his head-piece? Is he a proper man for the office of an ambassador?" "Sir," said the Chancellor, "tall men are like high houses, of four or five stories, wherein commonly the uppermost room is worst furnished."‡ 1621. January. Cadenet' display.

In such hands a difficult negotiation was unlikely to prosper. A hint on the subject of the marriage dropped in conversation with Buckingham was so coolly received His reception.

* *Memoires du Comte Leveneur de Tillières*, 32.

† Chamberlain to Carleton, Jan. 13. *S. P. Dom.* cxix. 24. Salvetti's *News-Letter*, Jan. $\frac{5}{15}$. *Finetti Philoxenis*, 67.

‡ The story is told by Howel. *Letters*, ed. 1726, 81. The date given is wrong, but the dates are frequently wrong, having been added pretty much at random after the publication of the first edition. What is of more importance is, that Bacon is called Lord Keeper, which, unless it be considered the mistake of a man just returned from the Continent, looks as if the letter itself, like many others in the series, had been got up for publication long afterwards. Yet the story may, I think, be accepted. It finds a place in the Apophthegms (*Bacon's Works*, viii.182), though without mention of the name of the ambassador referred to.

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that Cadenet did not venture to repeat it. He could get no definite answer to his suggestions about the Palatinate and the Valtelline. It was still worse when he spoke of the disloyalty of the French Protestants. James turned sharply upon him. He was sorry, he said, to hear such language. If they rebelled against their King, they deserved to be punished. But if it was intended to trump up a charge against them to serve as a pretext for the ruin of the Reformed religion, he would not hear it. It would be better for the King of France to walk in his father's steps, than to do what he was doing now.

Thus repulsed, there was nothing left to the Ambassador but to take his leave. James was hardly to be congratulated for the success of his diplomacy. The strength of his position lay in his adoption of the principle of territorial independence, the only principle which at that time could give peace to the distracted Continent. And it was this very principle which, in his impotent meddlesomeness he was recklessly throwing away. It was very doubtful whether, even if he wished it, he would be able to render any effectual service to the French Protestants. It was certain that he would never make up his mind to give them anything more than words. Yet for the sake of this he turned his back upon the alliance which alone would have enabled him to speak with authority in Europe, and placed himself in the ridiculous position of being the defender of the rights of sovereigns against their subjects in Bohemia, and the defender of the rights of subjects against their sovereign in France. Driven about with every gust of momentary feeling, in one thing only was he consistent; in the tenacity with which he clung to any theory, however false, to any phantom, however delusive, which might stave off for the time the dreaded necessity of action.

Naunton's disgrace.

All this was not lost upon Gondomar. The wily Spaniard took a pleasure, only second to that with which he enjoyed the triumph of his master's armies, in forcing James to proclaim to the world his own weakness. Much to his delight he heard that Cadenet, in his eagerness to obtain support in every quarter, had sent one of his attendants to ask Naunton's opinion on the prospects of the French

alliance, and that Naunton had incautiously answered that he knew the King to be in great want of money, and that he therefore advised the French, if they wished to be listened to, to offer a portion with their Princess at least as large as that which would be given with the Infanta.*

The story was at once carried by Gondomar, not without exaggeration, to the King. James was indignant. The allusion to his anxiety about the portion of his future daughter-in-law, contained truth enough to put him into a passion. He gave orders at once that Naunton should be suspended from his office, and should place himself in confinement within the walls of his house at Charing Cross.†

Gondomar's influence was evidently in the ascendant. Captain North, returning after a peaceful voyage to the Amazon, was imprisoned for having sailed in disobedience to orders.‡ Dohna, who had been led by imprudent zeal into an attempt to convict James of inconsistency in promising more than he had performed, was forbidden to show himself at Court, and was forced, not long afterwards, to leave England.§ Even Abbot, upon some charge the nature of which we do not know, barely escaped exclusion from the Council.‖

Political pamphlets.

All the while that James was thus frittering away whatever character for decision remained to him, the popular indignation against everything Spanish was daily growing. It was in vain that the Government attempted to stem the tide. A proclamation appeared, warning all persons "to take heed how they intermeddled by pen or speech with causes of state, or secrets of empire, either at home or abroad."¶ James might as well have spoken to the winds. Men's hearts were too full to be silent.

* *Memoires du Comte Leveneur de Tillières*, 43. Caron to the States General. *Add. MSS.* 17,677K, fol. 91.

† Gondomar to Philip III., $\frac{\text{Jan. 31}}{\text{Feb. 10}}$. *Simancas MSS.* Est. 2602.

‡ Salvetti's *News-Letter*, Jan. $\frac{12}{22}$.

§ Dohna's Memorial, Jan. 8. Dohna to Calvert, Jan. 18. *S. P. Germany.* The King to Frederick, Jan. 26. *Add. MSS.* 12,485, fol. 61.

‖ Gondomar to Philip III., $\frac{\text{Jan. 31}}{\text{Feb. 10}}$. *Simancas MSS.* Est. 2602.

¶ Proclamation, Dec. 24, 1620. *Rymer*, xvii. 279.

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1621. January. The "Vox Populi."

In the midst of the excitement, general attention was especially attracted by a pamphlet, remarkable for the ability with which it was written, and the skill with which it caught the passing feeling of the hour.* It was the work of a Norwich minister, Thomas Scot. Under the title of "Vox Populi," it purported to give an account of Gondomar's reception by the Council of State, upon his return to Madrid in 1618. The Ambassador is there made to explain his schemes for bringing England into subjection to Spain, to tell with evident satisfaction of the throngs which had crowded to mass in his chapel, and to recount how he had won over the leading courtiers by his bribes. He then describes, with great glee, the failure of Raleigh's expedition. As a matter of course, he receives the congratulations of the Council on the approaching realisation of his hopes, and on the coming establishment of the universal monarchy of Spain over the whole world. Suddenly a courier arrives with news of the imprisonment of Barneveldt, and the Council breaks up in confusion, upon hearing of the fall of the man who is depicted as their principal supporter.

With Gondomar's despatches in our hands, it is easy for us to discover that the whole story was an impudent fabrication. At the time it was widely received as a piece of genuine history.

Opening of Parliament.

In the midst of this excitement, the day appointed for the meeting of the new Parliament was approaching. On account of the pressure of business, caused by the reception of the French embassy, the opening of the session had been postponed from the 16th to the 30th of January. On that day, after listening to a sermon from Andrewes bristling with Greek and Hebrew, James passed, seemingly in high spirits, to the House of Lords.

Jan. 30. The King's speech.

The Commons were summoned to the bar, and the King began his speech with the exposition of those constitutional theories, which, however they may grate upon our ears at the present day, would not have been formally repelled by any of his hearers. A Parliament, he said,

* I suspect from the slight mention of Bohemia, that it was written about the spring of 1619, and perhaps circulated in MS. till the course of events made the writer think that it would be worth while to print it.

was an assembly forming part of a monarchy, and acting under a monarch. Without a monarch there might, indeed, be Councils, but not a Parliament. It was summoned by the King to give him advice, and it was able to give that advice, because it represented the wishes and the wants of the various classes of his subjects. The King was thus enabled to make good laws for the benefit of the whole commonwealth. The House of Commons, in particular, had special functions to perform. It was by its means that cases of maladministration or default of justice could reach the ears of the King; and it was the peculiar duty of that House to supply the King's necessities, as it was his duty to afford them justice and mercy in return.

James then turned to a subject upon which the House took a far deeper interest than on any question of constitutional politics. Religion, he said, was to be maintained in the first place by persuasion, and it was only when that failed that recourse was to be had to compulsion. It had been rumoured that the marriage treaty with Spain would be followed by a grant of toleration to the Catholics. He would, however, have them to understand, that he would do nothing dishonourable or contrary to the interests of religion.

After this brief and enigmatical declaration, James quickly passed to what was, to him, the far more important subject of his own wants. For ten years, he said, he had not received a penny from Parliament. The time when they might reasonably have objected to grant a supply was now past. His treasure was no longer squandered. During the last two years a strict economy had been practised. Large sums had been saved by the reform of the household. With the help of the young Lord Admiral, who was standing by his side, he had effected a considerable saving by the reforms of the navy. If they would give him money now, he would answer for it that it should no longer fall into a bottomless purse.

The next cause for which he had summoned them was the miserable state of Christendom. He had done all that was in his power to put an end to the war in Bohemia,

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1621. Jan. 30. In the hope of saving the Palatinate, he had spent thousands of pounds upon embassies. He had borrowed money from the King of Denmark. He had authorised the collection of voluntary contributions. "And I am now," he said, "to take care of a worse danger against the next summer. I will leave no travail untried to obtain a happy peace. But I have thought it good to be armed against a worse turn, it being best to treat of peace with a sword in my hand. Now I shall labour to preserve the rest; wherein I declare that, if by fair means I cannot get it, my Crown, my blood, and all shall be spent, with my son's blood also, but I will get it for him. And this is the cause of all, that the cause of religion is involved in it; for they will alter religion where they conquer, and so perhaps my grandchild also may suffer, who hath committed no fault at all." Let them, therefore, make haste to grant a supply. This Parliament had been of great expectation. At his first Parliament he had been ignorant of the customs of the land. At his second Parliament a strange kind of beast called undertakers had come between him and his subjects. The present Parliament had been called of his own free motion. It would be his greatest happiness if it could be shown that he had acquired the love and reverence of his people, "Then," he ended by saying, "I shall be even honoured of my neighbour Princes, and peradventure my Government made an example for posterity to follow."*

Temper of the House of Commons.

By a critical audience this speech would have been coolly received. James had spoken first about himself, and last about the Palatinate. But the House of Commons was not disposed to be critical. Its members had come up to Westminster eager to co-operate with the King. The old constitutional disputes, and the old constitutional suspicions were forgotten. No one thought for a moment of reviving the quarrel about the impositions. This time, at least, James would not have to complain of factious opposition. If he would only be a King in reality as well as in name—if he would reform abuses at home, and defend Protestantism abroad, the representa-

* *Proceedings and Debates*, i. 2.

tives of the nation were prepared to follow him with almost unquestioning fidelity.

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On the 5th of February, the House of Commons met for business. The first debate was somewhat desultory. The strong Protestant feeling of the members found a mouthpiece in Sir James Perrot, the son of the Lord Deputy of Ireland, who had been so harshly treated by Elizabeth, and who was himself, unless rumour spoke falsely, an illegitimate son of Henry VIII. Perrot now moved that the House should receive the communion at St. Margaret's, for the detection of recusants." *

Feb. 5. The first debate.

Perrot's motion was a signal for the pouring out of a flood of abuse against the Catholics. Sir Robert Phelips, the son of the Speaker of the first Parliament of the reign, a busy, active man, whose undoubted powers were not always under the control of prudence, on this day commenced his brilliant career as a Parliamentary orator. The Catholics, he said, had lit bonfires in their halls, at the news of the defeat in Bohemia. They were gathering in great numbers to London, and were perhaps even now meditating a repetition of the gunpowder plot.

Another subject next engaged the attention of the House. Since the last Parliament, members had been imprisoned for words spoken in their places. It was suggested that the King might now be asked for an acknowledgment of their right to liberty of speech. Calvert on the other hand, whose conciliatory temper would, in happier times, have gained him the respect of the

* Under the date of the 5th of February, Mrs. Green has calendared the celebrated speech of Sir E. Cecil on the importance of granting an immediate supply to the Palatinate. It may, however, be asked why no trace of it occurs in the full reports which we have, from various hands, of that day's debate. The fact is, the speech was a forgery. On Dec. 3, 1622, Carleton (*S. P. Holland*), expresses his suspicions to Chamberlain, and on the 21st Chamberlain replies:—"Upon inquiry, I am fully of your opinion touching Sir Edward Cecil's speech, that he was not guilty of it; but that one Turner about him was the true father." Chamberlain to Carleton, Dec. 21, 1622. *S. P. Dom.* cxxxiv. 80. There appears to have been some doubt on the matter at the time. On the 15th of May, 1621, Meade speaks of it as "made (as they say) in the beginning of this session." *Harl. MSS.* 389, fol. 67b. But whoever was the author, the speech does him great credit. There is a fine ring in its language from beginning to end. Nothing, in the course of writing this work, has been more painful than the act of drawing my pen, in obedience to the laws of historical veracity, through the extracts which I had credulously inserted in the text.

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House, then rose and pressed for an immediate supply. It was finally resolved that the various questions which had been raised should be referred to a committee of the whole House.

Usher's sermon.

The first difficulty of the Commons arose from an unexpected quarter. They had entrusted the sermon at St. Margaret's to Usher, whose abilities had recently procured for him, young as he was, the Bishopric of Meath. The appointment was regarded by the Chapter of Westminster, now under the guidance of Williams, as an infringement of its rights. The House was accordingly told that it had exceeded its powers. If the members would come to the Abbey one of the canons should preach to them, and no attempt would be made to force upon them the wafer bread which was ordinarily used there. But Williams, in his hot-headed jealousy for his new dignity, had miscalculated the temper of those with whom he had to deal. His offer was contemptuously rejected by the Commons. If they could not hear Usher preach in St. Margaret's, they would hear him in the Temple church. Williams, however, was not allowed to push matters to these extremities. James himself interfered, and the Chapter at once withdrew their opposition to the original plan.*

If the Commons could have listened to the King's conversation with Usher, they would hardly have thanked him for his mediation. "You have got," he said, "an unruly flock to look to next Sunday." He then asked him how it was possible for the members to be in charity with one another, and ended by begging him to urge his audience to pass a vote of supply as soon as possible.†

Petition against the Recusants.

In the meanwhile the Commons were busily considering the case of the obnoxious Recusants, and in drawing up a petition for the enforcement of the penal laws, in which the Lords expressed their willingness to join.‡

Feb. 15.

On the 15th of February the Committee brought up

* *Proceedings and Debates*, i. 14, 19. *Commons' Journals*, i. 517. Chamberlain to Carleton, Feb. 10. *S. P. Dom.* cxix. 90.

† Elrington's *Life of Usher*. *Works*, i. 53.

‡ *Lords' Journals*, iii. 18, 19. Woodford to Nethersole, Feb. 17. *S. P. Dom.* cxix. 102.

its report upon liberty of speech. It recommended an appeal to the King, and the introduction of a bill by which the imprisonment of members for words uttered in their places might be rendered impossible for the future.* At this suggestion Calvert rose. The King, he said, had directed him to tell the House that he marvelled that they troubled themselves so much about the matter. Had he not already assented to their Speaker's petition for such freedom of speech as had been anciently granted? His Majesty therefore hoped that no one would "so far transgress the bounds of duty as to give any cause to be questioned for speaking that which becomes him not." If any such offence should be given, he was sure that the House would be more ready to censure him than his Majesty to require it.† 1621. Feb. 15.

So eager were the Commons to avoid any semblance of altercation with the King, that even this vague and unsatisfactory message was accepted not only without remonstrance but even with gratitude. Ten months later they had reason to regret that the reply had not been more explicit.

Supply.

For the moment James's course was an easy one. The Commons formally returned him thanks for his gracious assurance, and on that very afternoon the question of supply was for the first time seriously taken up in committee.‡

The report of the Council of War laid before the House.

On the 13th the Council of War had delivered its report. To levy a force worthy of England a sum of 250,000*l.* would be needed immediately, and the pay and expenses of the army would call for an annual vote of 900,000*l.* a-year. By this means 30,000 men could be sent to the defence of the Palatinate, and the members of the Council were too experienced soldiers not to know that to appear in the field at once with an army which could bear down all opposition was in the end the surest way to avoid expense.§

Such a sum was undoubtedly enormous. No larger grant than 140,000*l.* had ever yet been made in any one

* *Commons' Journals*, i. 522.
† Calvert's Speech, Feb. 15. *S. P. Dom.* cxix. 97.
‡ *Proceedings and Debates*, i. 47.
§ Report of the Council of War, Feb. 12. *S. P. Dom.* cxix. 93.

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year by Parliament. It was therefore incumbent upon James to reconsider his position, and, after frankly laying before the House the information which he had received, to prepare the nation for the sacrifices which would be needed if its wishes were to be carried out. A very different course commended itself to James. It was at all events a good opportunity for getting a vote of money, and the adequacy of the supplies was a matter of very little moment. Calvert was accordingly directed to state that 30,000 men would be needed, and that at least 500,000*l.* would be required for their support.

Effect of Calvert's speech.

The expense of the troops was absurdly underestimated. But this was not the only, or even the worst, fault of the speech in which he brought the question forward. Of the policy which the King intended to pursue he had not a word to say. The Commons were informed what the cost of an army would be. They were not told how it would be used. Over the state of the negotiations, and the chances of peace and war, an impenetrable veil was thrown. Such treatment was enough to chill the temper of the most loyal. It would be time enough, it was felt, to vote a supply on such a scale as this when the King should condescend to tell them what he meant to do with it. Yet they shrank from leaving the appeal of their Sovereign altogether without response. In spite of the dearth of the precious metals caused by the debasement of the coinage on the Continent; in spite too of the constitutional scruples which forbade the grant of money at so early a period in the session, the Commons unanimously agreed to a resolution for the levying of two subsidies, a sum equivalent to about 160,000*l.**

Grant of two subsidies.

The money, however, was not to be regarded as a contribution towards the expenses of the war, for which it would have been utterly inadequate, but simply as a testimony of their

* *Proceedings and Debates*, i. 48. It is important to understand the circumstances under which the grant was made, as unfounded inferences have often been drawn from a partial appreciation of the facts. Even Mr. Forster (*Life of Pym*, 9), who is not usually given to underestimate the virtues of the House of Commons, says that the grant was "so small a sum in fact, that it only left the King more completely at their feet." In his report from the Committee on the 16th, Coke, on the other hand, said distinctly that the money was voted "freely, not on any consideration or condition for or concerning the Palatinate." *Proceedings and Debates*, i. 50.

devotion to a king who, as they still hoped almost against hope, was at last preparing to stand forward as the leader of the nation over which he ruled. CH. V. 1621. Feb. 15.

For these explanations James cared little. With the prospect of a grant of money he was beyond measure delighted. He ordered one of the Privy Councillors to inform the Commons that their conduct had made a great impression upon him. They had given reputation to his affairs at home and abroad. For his part, he was ready to meet them half way in giving satisfaction to their just demands.*

Gondomar's licence to export ordnance.

The readiness with which the Commons granted these subsidies is the more noticeable, as they had lately met with a rebuff upon a point which they considered to be of no slight importance. At that time ordnance of English manufacture was highly esteemed upon the Continent. Its exportation was strictly forbidden, and the prohibition was only occasionally suspended as a special favour to the representatives of foreign nations. When, therefore, it was known that leave had been given to Gondomar to send a hundred guns out of the kingdom, the Commons were roused to an indignant remonstrance against the impolicy of furnishing arms to the enemies of the German Protestants. They listened with sullen displeasure to Calvert's explanation. James himself was obliged to come to the support of his secretary. The licence, he said, had been granted two years before, and could not now be revoked. No harm would be done, as Gondomar had engaged that the guns should be sent to Portugal for use against pirates. The House received the information in silence, but it is hardly probable that a single member allowed his convictions to be changed by it.†

Proposed legislation on the Sabbath.

There were other subjects on which the Commons felt even more strongly than on the exportation of ordnance. On the 15th there was a debate on a Bill for the stricter observance of the Sabbath. A young barrister named Shepherd stood up to oppose the measure. Everybody

* Speech of a Privy Councillor, Feb. 16. *S. P. Dom.* cxix. 98.
† *Proceedings and Debates*, i. 36

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1621. Feb. 15. knew, he said, that Saturday and not Sunday was the true Sabbath. The Bill was conceived in a spirit of defiance against the King's Declaration of Sports, for it forbade dancing on Sunday. Did not David praise God in a dance? What right had they to fly in the teeth of both King David and King James? Whoever brought in the Bill was a Puritan and a disturber of the peace. Such language was intolerable to his hearers, who, in their antagonism to Spain, were clinging to the stricter Protestantism which their fathers had learned in the midst of the struggle with the Armada. An indignant shout warned him to desist. He was ordered to leave the House. The next day his case was taken into consideration, and, without a dissentient voice, he was declared to have forfeited his seat by his profanity.* Yet even here, excited as they were, the Commons evinced their determination to give way at the slightest remonstrance from the King. They replied to a message from James by ordering that whatever clauses might be in contradiction with the Declaration of Sports should at once be expunged from the Bill.†

Expulsion of Shepherd.

Feb. 17. In fact, during the first fortnight of the session, it seemed as if James could do anything he pleased with the Commons. On the 17th he gave his promised reply to the petition for increased severities against the Recusants which had been presented to him jointly by the two Houses. His answer was virtually a refusal of their demand. There were, he said, laws enough already. It was against his nature to be too rigorous in matters of conscience. He was continually called upon to intercede with other princes on behalf of oppressed Protestants, and he could hardly hope to succeed if he were himself to treat the English Catholics with undue rigour.‡ With this reply the House was highly discontented. There were those who believed that if the resolution for the grant of the subsidies had not been already passed, it would now be in danger of rejection.§ But so admirably

The King's reply to the petition on recusancy.

* *Proceedings and Debates*, i. 45, 51.
† *Proceedings and Debates*, i. 60.
‡ Chamberlain to Carleton, Feb. 27. *S. P. Dom.* cxix. 103.
§ Salvetti's *News-Letter*, Feb. 23.

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was the temper of the House under control, that, in public at least, no signs of dissatisfaction appeared.

Foreign policy of the Commons.

Evidently beneath the thin crust of reconciliation the fires of discord were smouldering still. Yet, since James had summoned his first Parliament to meet him in 1604, no such House, so profoundly loyal, so heartily anxious to sacrifice all claims but those of honour and of duty, had answered to his call. In the great and pressing questions of foreign policy especially its sympathies were true and generous. Composed as it was, to a great extent, of men of substance, who would eventually have to bear the chief burden of war, it had no wish to throw England headlong into that endless Protestant crusade which tickled the imagination of Abbot and the preachers. But there was scarcely a member who did not see that the encroachment of Catholic domination upon Protestant territory was full of immediate danger to the Protestant states of the Continent, and of ultimate danger to England itself. They saw, too, that the power of the Imperialist party in Germany could only be made available for evil by the support of Spain, and that if the torrent of destruction was to be stopped it was to Spain that their demands must be addressed.

The merits of this policy of the Commons were peculiarly their own. The defects were incidental to their position. Depending for information upon rumour, it was impossible that they should gain that acquaintance with the characters and motives of foreign princes, which alone could determine the choice of the method by which the object which they had at heart could best be attained. Black and white were the only colours on their canvas. To them every Protestant was a model of saintly virtue. Every Catholic was a dark conspirator against the peace and the religion of the world. Of the weakness and rashness of Frederick, of the low intrigues by which his election had been preceded, of the anarchical character of the Bohemian aristocracy, they had simply no conception whatever. And as they could see nothing but light on one side, they could see nothing but darkness on the other. In the very centre of the more than Rembrantesque gloom, in which one part of their picture was

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shrouded, stood the King of Spain, not as he really was, anxious to avoid war, hesitating to spend his money, and shrinking from doing anything which would split up Europe into two hostile camps, but bearing the likeness which his father had borne in the imaginations of Englishmen forty years before, the aspirant, by force or fraud, to universal empire for his own bad purposes, the restless, ambitious, insatiable vice-gerent of Satan upon earth.

The King and the House of Commons.

With such a House, a wise Government would not have found it difficult to deal. Cowardice and sloth, vanity and obtuseness, are hard to guide, but the ignorance of a high-spirited and loyal people is easily met. A king who would deal frankly with his subjects, who would tell them plainly what his objects were, and how it was possible to accomplish them, who would take the two Houses into his confidence, who would speak as Bacon would have had him speak, and act as Digby would have had him act, might have wielded the strength of England at his pleasure. A wise love of peace would have found no obstacle in those who were crying for war, not for the sake of its excitement and its booty, but because they believed that the miseries of war were outweighed by the mischief which peace was every day bringing nearer to their doors.

And as is always the case, such a union of action between the king and his subjects, would have been followed by effects reaching far beyond the political question which was actually in hand. It would have resulted, not as Bacon seems to have thought, in the renewal of the attachment of the people to the forms of the Elizabethan constitution, but in softening the asperities of the change which those forms were destined to undergo. It was impossible that a people growing in intelligence and wealth, undistracted by vital differences of opinion, and trained to political action by the discipline of centuries, could long be kept back from taking a far more active part in public affairs than had been possible under the sceptre of Elizabeth. That the doors of the constitution would soon open more widely than before to the House of Commons, was inevitable. The choice which

lay before James was whether he would place himself at the head of the change or not. The representatives of the people, freely associated with the Crown in the responsibilities of a policy, the chief burthen of which they were called upon to bear, would be prepared peacefully and gradually for the duties which lay before them. The other path led surely to revolution; to a revolution, indeed, necessary in itself, and not unaccompanied by high thoughts and heroic actions, but none the less soiled by the bitterness of party strife, by the fierce passions which it evoked, and, worse than all, by the moral prostration which followed hard upon the excitement of the struggle.

His policy towards the Catholics.

It is almost a superfluous task to accumulate fresh evidence of James's incapacity for understanding the feelings of his people. Yet if there was a subject on which he might be expected to speak with prudence and moderation it was the question of the protection to be extended to the English Catholics. His answer to the petition of the two Houses had been sensible, so sensible that, if he could have been trusted to keep without deviation upon the track which he had marked out, it would probably have made an impression upon all who were not blinded by fanaticism. The general belief that he could not be trusted was that which goaded on the Houses to persecution. Nor was their belief altogether imaginary. On the 2nd of February, three days after Parliament met, he had used language in a conversation with Gondomar in which the poverty of his intellect and of his heart was conspicuously displayed. He began by talking about the speech with which he had opened the session, softening down the words he had used in speaking of religious matters. He was ready, he said, to live and die in friendship with the King of Spain. As for the Puritans, they were the common enemies of both. After some further talk about his son-in-law, he described his own reception by the clergy in Westminster Abbey. The whole of the service, he said, had been chanted in Latin. So far, at least, he had conformed to the usage of the Catholic Church. Upon this hint, Gondomar spoke out. He hoped, he said, to see him restored to the

His conversation with Gondomar.

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Church, and to the obedience of the Pope. "If," replied James, "these things could be treated without passion, it is certain that we could come to an agreement." A few minutes more brought him to acknowledge his readiness to recognise the Pope as the head of the Church in matters spiritual, and to allow appeals to lie to him from the English bishops, provided that he would refrain from meddling with temporal jurisdiction in his kingdoms, and would renounce his claim to depose kings at pleasure. If in his writings he had spoken of the Pope as Antichrist, it was because of his usurped power over kings, not because he called himself head of the Church. Gondomar, upon this, asked James to give him his hand in token that he meant what he was saying. The King at once held out his hand, and told the ambassador to write an account of the conversation to his master.

No one knew better than the Spanish ambassador that all this meant nothing. If he had just landed in England, he wrote, he might perhaps have considered the information of importance. All he could say now was that nothing was impossible to God.*

Such was the sovereign to whom, at this crisis of her history, the destinies of England were entrusted.

* Gondomar to Philip III., Feb. $\frac{8}{18}$. *Simancas MSS.* Est. 2602.

CHAPTER VI.

THE FALL OF LORD CHANCELLOR BACON.

No stronger contrast can be imagined than is to be found between the subjects which agitated the two Houses at the commencement of the eventful session of 1621. Whilst the growth of the power of Spain, and the miseries of the German Protestants, were occupying the attention of the Commons, the Lords were agitated by personal questions which interested no one but themselves.

February. Opposition in the House of Lords.

At the accession of James, the peerage had, indeed, lost much of those powers which had filled Elizabeth with anxiety. But it was still strong in its social position, and in historical associations. Side by side with the Veres and the Cliffords, whose honours dated from the reigns of the Plantagenets, sat the Riches and the Russells, who had risen to eminence in the course of the Reformation struggle. But with rare exceptions, the ancestors of these men had won their titles by services to the State or to the Sovereign, by high family connection, or by strong local influence. All this, it seemed, was now to be at an end. The descendants of Elizabeth's peers would soon be in a minority in their own house. Of the ninety-one lay peers, no less than forty-two had been either created or elevated to a higher title by James. Amongst these were a few who, like Bacon and Digby, might have risen to eminence under any system; but far too many were known to have purchased their advancement with hard cash, or with the still baser coin of obsequious servility to the favourite.

The old and new Peers.

Nor was it only of the number and the character of their new associates that the Lords complained. A

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smooth tongue and a supple knee was seldom rewarded with anything less than a viscountcy, and barons whose ancestors had sat for generations in the Upper House, were forced to yield precedency to upstarts, whose brand-new titles were unrelieved either by wealth or by merit.

Quarrel between Scrope and Berkshire.

It was not long before the smouldering discontent burst out into a flame. Not a month before the meeting of Parliament, Lord Norris was created Earl of Berkshire; owing his rise, it was said, to the expectation that he would give his only child, the heiress of his wealth, to Edward Wray, a young gentleman of the bedchamber, who had contrived to secure the patronage of Buckingham.* One day, as he was entering the House in full consciousness of his new dignity, he saw Lord Scrope, whose barony dated from the reign of Edward I., walking in front of him. He rushed forward, and thrusting Scrope violently aside, asserted his precedency as an earl. But the House was in no mood to allow the old peerage of England to be insulted with impunity, and Berkshire was committed to the Fleet, from which he was only allowed to emerge upon making an ample apology for his rudeness.†

The Scotch and Irish Lords.

Yet, whatever their feelings might be, it was impossible for the Peers to make any formal complaint against the exercise of the King's undoubted prerogative in the new creations; and they therefore chose another point of attack. For some time, it had been usual to confer Irish peerages upon Englishmen who had distinguished themselves in that country; but as the officials thus advanced had for the most part remained in Ireland, their titles had given no umbrage to the English nobility. James had now taken a further step in the same direction. He raised Sir Henry Carey, the Comptroller of the Household, to the Scottish peerage by the title of Viscount Falkland. The whole

The Peers' petition.

body of the English Lords who were not under the influence of the Court, were at once in arms. They did not dispute the King's right to make as many Scotch viscounts as he pleased, but they drew up a petition, to which the names of thirty-three peers were appended, begging that no Scotch nobleman might take precedence

* Chamberlain to Carleton, Jan. 31. *S. P. Dom.* cxix. 24.
† *Lords' Journals*, iii. 19, 21, 22.

in England of the lowest member of the English baronage. Then arose a strange and unseemly altercation between the King and the petitioners. Hearing of the existence of the paper which they had signed, James ordered them to deliver it up to the Privy Council. He was told that it was addressed to himself, and to himself alone would it be given. One by one the thirty-three were summoned into the Royal presence, and were asked in whose custody the petition was. Each one, as he passed in, told the same story. If the King wanted to see the petition, he must receive them in a body, and listen to their complaints. James blustered for some time, and finally agreed to a compromise, by which the petition was placed in the hands of the Prince of Wales.*

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In themselves, such ebullitions of temper would rightfully be excluded from a place in history; but the personal grievances of the Peers were not without their weight in securing to the popular side the services of so many of the nobility in the approaching conflict.

Feb. 17. Grievances discussed in the House of Commons.

In the Lower House there were no factions. On the 17th of February, the King had declared that if they chose to inquire into grievances, he would be ready to meet them half way. The Commons took him at his word, perhaps all the more readily as their mouths were closed upon the great questions of foreign policy by the coldness with which their overtures had been received.

Feb. 19. Speeches of Noy and Coke.

On the 19th, Noy, a Cornish lawyer, whose name is now chiefly remembered by the part which he subsequently took in the imposition of ship-money, moved for an inquiry into the monopolies. These grants, of which the nation was now weary, had, he said, always been preceded by a favourable report from a committee either of lawyers or of statesmen, to which they had been referred. He therefore moved that these referees might be sent for, in order that the House might know upon what grounds they had acted.

Coke's position in the House.

Noy's proposal was seconded by Coke. The old lawyer, now once more after a long lapse of years a

* Meade to Stuteville, Feb. 24. *Harl. MSS.* 389, fol. 21. Chamberlain to Carleton, Feb. 27. *S. P. Dom.* cxix. 133. Council Register, Feb. 19. Sir E. Brydges' *Memoirs of the Peers*, 128.

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member of the House of Commons, took up at once the foremost position amongst his colleagues. His amazing self-confidence, and the facility with which he drew, from the vast stores of his legal knowledge, the precise argument which was most applicable to the occasion, made his services indispensable to an assembly of which the great majority were without much experience in the details of public business. With the feelings and prejudices of the House he was on his own narrow ground thoroughly in unison. It is true that he knew that in attacking the referees he was attacking Bacon, and that long rivalry, ending as it did in his own final discomfiture, had embittered his feelings towards the Chancellor. But it would be unfair to think of him as merely actuated by personal motives. Of justice in the highest sense of the word he knew nothing. Of the worth of liberty, or of the principles of political economy, he knew as little. But he had high ideas of his own duty to wage war with corruption and mal-administration, and the idolatry with which he regarded the system of the Common Law made him intolerant of any attempt to thrust it aside from its supremacy. He was fortunate in the disgrace which deprived him of the power to oppress, and converted him into the opponent of oppression. He was, above all, fortunate in the epoch in which he lived. Two hundred years later his name would have gone down to posterity, with Eldon's, as that of a bigoted adversary of all reform. As it was, his lot was cast in an age in which the defence of the technicalities of law was almost equivalent to a defence of law itself. It is better, in the end, that the popular ideas of right should be enlarged, than that the administration of justice should be improved; and so it came to pass that Coke, in the stand which he made against the arbitrary tribunals which had of late years been so plentifully introduced, was, in his blind and rugged fashion, paving the way for the advent of a justice which he would himself have been the first to denounce.

The patent for inns.

Great was the joy of the House at this accession of a Privy Councillor to the views which the vast majority entertained. "This," said Alford, an old member, who

had represented Colchester ever since the death of Elizabeth, "is the first Parliament that ever I saw Councillors of State have such care of the State." The Commons did not indeed adopt Noy's proposal for an inquiry into the conduct of the referees, but the next day a Committee of the whole House commenced an investigation into the patent for inns. Mompesson, who was himself a member of the House, was subjected to a rigorous examination. One speaker after another rose to denounce his extortions. At last a letter was produced in which he had threatened a justice of the peace with punishment unless he desisted from his efforts to shut up an inn which was notoriously a mere haunt of thieves and drunkards. Bad as were Mompesson's own oppressions, those of his subordinates were infinitely worse. One evening, the Committee was informed, an agent of the Commissioners, named Ferrett, knocked at the door of a certain Cooke, an old man of eighty, who kept an alehouse at Brewood, in Staffordshire, but who, not having an innkeeper's licence, was, at least according to Mompesson's interpretation of the law, liable to a fine if he took in strangers at night. Eager to appropriate a portion of the expected fine, the informer hit upon a mode of proceeding as simple as it was infamous. The night, he said, was coming on, and unless shelter were given him, he was certain to fall into the hands of thieves. Cooke listened to his tale with compassion, left his own bed to make room for him, and turned his cow into the field to provide shelter for the traveller's horse. Ferrett had got what he wanted. He turned sharply upon his bewildered host. "This is well," he said. "You are one of those that I look for; you keep an inn, you receive a horse and man." It is true that the Commissioners did not support their agent in his iniquity; but it was no slight matter that the poor old man should have been compelled to incur the trouble and expense of pleading his cause in London before redress was to be had.* So at least the Committee thought. The patent

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* The story was adopted by the House and inserted in their charge against Mompesson, from which I have printed extracts in a paper *On Four Letters from Lord Bacon*, in vol. xli. of the *Archæologia*.

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The patent for alehouses.

was unanimously condemned, and Coke was chosen to report the decision to the House.*

The patent for alehouses came next. It was discovered that behind the names of Dixon and Almon, the nominal patentees, were concealed those of Christopher Villiers and other hangers-on of the Court. Instead of seriously setting to work to suppress drunkenness, the patentees had contented themselves with extorting fines from such alehouse-keepers as were ready to purchase permission to break the law with impunity.†

Sir F. Michell.

In the course of the inquiry the name of Sir Francis Michell had been prominently brought forward as having abused his powers as a magistrate by using them to support the iniquities complained of. He replied by handing in a petition in defence of his conduct. All that he had done, he said, had been approved by the most eminent lawyers. The House refused to listen to his excuse. He was, it was said, one of the first advisers of the patent. He had appropriated a large share of the booty. He had written letters authorising some of the worst extortions. Coke moved that he should be sent to the Tower, and declared to be unfit to remain on the Commission of the Peace. The excitement in the House rose with the prospect of finding a victim. Member after member declared that this would not be enough. Let the wretch be disabled from sitting upon any commission whatever. Let a paper setting forth his offences be fixed upon his hat as he rode to the Tower. Let him for the future be dubbed an Ale-knight. Let him be exempted from the general pardon at the end of the session. At last, however, Coke's motion was carried without any substantial alteration.‡

Those who declaim against Bacon's dread of placing the supreme power at once in the hands of the House of Commons, would do well to ponder over these proceedings. Michell was no doubt a knave; but, for the sake of innocent men, it is not well that even knaves should be treated thus. He had not been heard in

* *Proceedings and Debates*, i. 63, 69, 73.
† *Proceedings and Debates*, i. 75, 78.
‡ *Proceedings and Debates*, i. 85.

his own defence. So far from having been brought to a legal trial, he had not even been allowed the ordinary formality of a stated charge. Never, in its worst days, was the Star-Chamber guilty of a more contemptuous disregard of the barriers which have been thrown up for the preservation of innocence by the laws of England.

Sir G. Mompesson.

Alarmed by Michell's fate, Mompesson threw himself upon the mercy of the House. He acknowledged that the patent for inns had been justly condemned as a grievance, and that he had been to blame for permitting the abuses which had attended its execution. His admission was treated by the House with the silence of contempt. On the 27th, Coke reported that Mompesson had been the original projector of the scheme; that much oppression had been exercised by him as a Commissioner; and that no less than 3320 innkeepers had been vexed with prosecutions for the breach of obsolete statutes. Finally, he added, that it had been proved that out of sixty inns licensed in the single county of Hants, no less than sixteen had been previously closed by the justices as disorderly houses.*

The jurisdiction of the Commons.

Yet, in spite of the severity of his language, Coke did not conclude with a motion that Mompesson should share the fortunes of Michell. He had been reminded, no doubt, that the House had not merely broken through the usual safeguards of justice, but that it had assumed a jurisdiction to which it had no claim whatever. He now spoke as a man who is put upon his defence. With his usual fertility of resource, he acknowledged that the Commons had no jurisdiction over Michell's original crime; but he had presented an insolent petition, and they had a right to punish him for that, as for an insult to themselves. Having thus covered his retreat, he made no opposition to a proposal that Noy and Hakewill should be sent to search for precedents amongst the records in the Tower.†

A very short time sufficed for the investigation. As every lawyer knew, no precedent was in existence, by

* *Proceedings and Debates*, i. 89, 100, 102.
† *Proceedings and Debates*, i. 103. *Commons' Journals*, i. 530.

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which the jurisdiction assumed in the case of Michell could be justified for an instant. Coke accordingly turned round with the stream, and poured forth a flood of precedents in condemnation of a claim which had been put forward at his own motion a few days before. The House at once followed him in his retractation, and acknowledged by its vote that it had no right to inflict punishment for any general grievance without the concurrence of the House of Lords. If Mompesson had been committed to the custody of the Serjeant-at-Arms, it was merely as a measure of precaution, till the Lords had decided upon his fate.*

Mompesson's escape.

The Commons accordingly asked for a Conference. Every day charges were accumulating against Mompesson. The part which he had played in carrying out the patent for gold and silver thread, and another patent for the discovery of Crown estates which had improperly found their way into the hands of private owners, was not forgotten. Before the last-named patent, it was said, no man's property would be safe. A century of quiet possession would not suffice, if the slightest flaw could be discovered in his title. Coke immediately brought in a bill to bar the claim of the Crown after sixty years' possession. But it was evident, from the language used, that the House would not be satisfied with providing for the future. Mompesson was thoroughly alarmed. When the officers were sent to arrest him, he asked leave to step for an instant into another room, jumped out of window, and fled for his life across the Channel.† As soon as his escape was known, the ports were stopped; and at the request of the two Houses a proclamation was issued for his apprehension. But it was too late; and the Commons were forced to content themselves with the expulsion of the fugitive from the seat in their House which he was hardly likely to re-occupy.

Buckingham's alarm.

The feeling that the Commons were in earnest spread rapidly. Even Buckingham, insolent as he usually was in the face of opposition, partook of the alarm. He

* *Proceedings and Debates*, i. 108. *Commons' Journals*, i. 531.

† *Proceedings and Debates*, i. 112, 114. *Commons' Journals*, i. 532, 533. Locke to Carleton, March 3, 1621. *S. P. Dom.* cxx. 6.

knew that his declared enemies could muster a considerable party amongst the Lords, and that the petition against the Scotch and Irish Peers had been, in reality, a demonstration against himself.* If the Commons chose to turn upon him as the real author of the obnoxious patents, was he certain of finding an impartial tribunal in the Upper House? The base metal which lay concealed beneath the splendid tinsel of his arrogance stood revealed at the touch of danger. He chose a moment when Coke happened to be present at the bar, to tell the Lords that he had always believed that the patents were for the good of the country. If it were not so, the blame lay with the referees, who had reported in their favour.†

February.

March 3. His attack upon the referees.

Even if Buckingham had refrained from this ungenerous attack, it was hardly possible that the burning question of the referees could be avoided much longer. How could security be obtained for the future, unless the circumstances were investigated under which Mompesson's abuses had received the countenance of these great officers of state. If Bacon were right in his interpretation of the law, it was the law that must be altered. If he were wrong, the true interpretation of the law must be placed beyond doubt. It was a further question, whether, if the law had been broken, it had been broken with the interested connivance of its highest guardians, the Lord Chancellor and the Lord Chief Justice. If there had been no higher motive at work, it would have been both unjust and impolitic in the Commons to turn their vengeance upon the subordinate ministers of iniquity, whilst they closed their eyes to the sanction which had been given in high places to their evil work.

February. Cranfield demands investigation.

Yet, in spite of the weight of these considerations, so anxious was the House to remain on good terms with the King, that during the fortnight which had elapsed since Noy and Coke had opened the attack upon the referees, only a single voice had been raised in support of their proposal. That voice was Cranfield's, and Cranfield re-

* Despatch of Tillières, March $\frac{1}{11}$. *Raumer*, ii. 306.

† *Commons' Journals*, i. 537.

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garded Bacon with that supercilious contempt which a man who has risen in the world by a thorough knowledge of the details of business is too frequently accustomed to feel for the more polished intellect of a philosophic statesman. Nor was Cranfield inclined to measure his words in speaking of those whom he disliked. His language was rough and uncourteous. If, for the time being, he stooped to flatter Buckingham, he made amends by barking at everybody else. It was from no enlarged views of political economy that he opposed the patents. He would have found it difficult to give any reason against them which would have squared with his ideas on the general course of trade. But just as Coke regarded them from the point of view of a Common-Law Judge, so Cranfield looked upon them from the point of view of a city tradesman. Why they were injudicious he would have found it hard to say. But he saw that their immediate effect was to disarrange the course of trade. It is thus that the experience of practical men corrects the mistaken theories of the learned, and that Coke and Cranfield, inconsistent as they were with themselves, were able to raise a warning voice against the splendid mischief which Bacon, consistent in his errors, had conceived.

Cranfield's hostility to Bacon was, no doubt, rendered more acute by a dispute which had arisen on a point of jurisdiction between the Court of Wards and the Court of Chancery. When, early in the session, complaints had been brought against his own Court, he had cleverly placed himself at the head of the movement, and had ostentatiously courted inquiry.* Strong in the popularity which he had thus acquired, he was not long in assuming the offensive. On the 24th of February, he asked that, to clear the honour of the King, the referees should be subjected to an examination. On the 27th he repeated his demand. He wished to know why they had presumed to certify the lawfulness of any patent that was a grievance.† But the House made no response. Even in the matter of the disputed jurisdiction he found but little support. A committee was appointed to inves-

* *Proceedings and Debates*, i. 44.
† *Proceedings and Debates*, i. 89, 103.

tigate the question, and recommended that counsel should be heard on both sides. Against this remissness Cranfield protested. It was not enough for him to obtain a decision that Bacon's claim to jurisdiction was unfounded. He wished to have it proclaimed to the world that Bacon's judgment had been unjust.* 1621. Feb. 27.

Events were fighting on Cranfield's side. On the 3rd of March, the very day on which Buckingham was frightened into his declaration against the referees, the House of Commons, at the motion of Sir Robert Phelips, turned its attention to the patent for gold and silver thread. A committee was appointed to examine Michell and Yelverton in the Tower,† and its report was delivered on the 5th by Phelips. He told the story of the successive patents and proclamations, each one more stringent than the last. Bacon, Mandeville, and Yelverton had certified in favour of the monopoly. The whole business, it appeared, had been utterly mismanaged. The silver and gold had been alloyed with lead. The coin had been melted down. Measures of such doubtful legality, that Yelverton shrank from sharing in them, had been employed to maintain the villany. But he had yielded at last to the threats of Sir Edward Villiers, and to fear of the ill consequences of resisting a brother of the favourite.‡ March 3. The gold and silver thread.

Phelips's statement was confirmed by further inquiry. The names of Mompesson and Michell acquired a fresh notoriety as the active members of the commission by which the monopoly was enforced. It was since Mompesson's name had been added to the list that the workmen complained of increased tyranny and harshness.

Every element of opposition in the House was united in disgust at these revelations. The champions of the common law were justly dissatisfied with the creation of an arbitrary tribunal which sent men to prison without the interference of a jury. The advocates, or those who thought themselves the advocates, of liberty of trade were displeased by the restriction placed upon the freedom of labour, whilst those whose great commercial doctrine was

* *Commons' Journals*, i. 537.
† *Proceedings and Debates*, i. 117.
‡ *Proceedings and Debates*, i. 120.

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March 8.

the preservation of the precious metals were horrified when they heard of the treatment to which the coin had been subjected. On the 8th of March a committee was ordered, not only to lay before the Lords the complaint of the House against Mompesson, but to demand, in set terms, an inquiry into the conduct of the referees.*

The Commons demand inquiry into the conduct of the referees.

That afternoon the Lords listened to the long complaint of the Lower House. The grievances of the inns, of the concealed lands, and of the gold and silver thread, were recited in order. But not a word was said about the referees. This part of the charge had been entrusted to two lawyers, Sir Heneage Finch and Thomas Crew, and it was no light thing for two lawyers to bring a complaint against the Chancellor. But Finch and Crew were not allowed to persist in their prudential silence. They were bidden to go back the next day, and to neglect to deliver their message at their peril.†

It was all very well for Buckingham to shift the blame from his own shoulders to those of the referees. But no such course was possible for James. Whatever might be the exact forms assumed by the inquiry into the conduct of Bacon and Mandeville, it was plain that it would be, in effect, a revival of the old parliamentary system of impeachment, and that it would carry with it a reversal of the whole constitutional policy of the Tudors. Within the memory of living man no minister of the Crown had been practically regarded as responsible to any one but the Sovereign. For James, therefore, to allow the Lord Chancellor and the Lord Treasurer to be called in question by Parliament would be to sacrifice that claim to sovereignty for which he had always so persistently struggled.

March 10.

The King resists inquiry.

With his usual blundering impetuosity, James attempted to stem the tide. On the morning of the day on which Finch and Crew were to return with the message which they had omitted to deliver, he summoned the Commons to appear before him in the Upper House. He wished to know, he said, upon what they

* *Commons' Journals*, i. 546.

† *Commons' Journals*, i. 547. Woodford to Nethersole, March 15. *S. P. Germany.*

1621. March 10.

had founded their claim to omnipotence? They had no precedents for what they were doing excepting from times of confusion and anarchy. What had such cases to do with the age in which they were living? The sceptre was now in the hands of a wise and legitimate Sovereign, and it was to him that the honour of directing the Government should be left.

"Before Parliament met," he added, "my subjects, whenever they had any favour to ask, used to come either to me or to Buckingham. But now, as if we had both ceased to exist, they go to the Parliament. All this is most disrespectful. I will, therefore, tell you a fable. In the days when animals could speak, there was a cow burthened with too heavy a tail, and, before the end of the winter, she had it cut off. When the summer came, and the flies began to annoy her, she would gladly have had her tail back again. I and Buckingham are like the cow's tail, and when the session is over you will be glad to have us back again to defend you from abuses."

Persistence of the Commons.

Never was a grave constitutional question argued in a stranger way. The King's apologue, as may well be imagined, made but very little impression on his hearers. The first act of the Commons, on returning from the scene, was to send messengers to make fresh arrangements for the conference in the afternoon. The King, who was still within the precincts of the House of Lords, was deeply annoyed. Hurrying back in a passion, he seized upon the first excuse that came to hand as a channel for his dissatisfaction. It happened that the Subsidy Bill, which was to carry out the resolution which had been passed a fortnight before, was to have gone through committee in the Commons on that very afternoon. James chose to believe that by asking for a conference, the Lower House was deliberately postponing the relief of the Exchequer to its own grievances. With an angry face, and a volley of oaths, he told the Peers that they must forbid the Commons from meddling with any business whatever till the Subsidy Bill was passed. The Lords begged to be excused. They had arranged, they said, that the conference was to take

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place that afternoon, and they could not break their word. If his Majesty wished, he could send the message himself.

James was accordingly driven to send his own imperious commands through the Attorney-General. Coventry was received with all due respect by the Commons. The conference, he was told, could not now be abandoned. But as soon as it was over they would return to their own House, and would take good care that the Subsidy Bill should go through committee, if they sat till ten at night.*

Charge brought against the referees.

The Commons had shown that they at least knew how to keep their temper, and James learnt that his intemperate resistance had done him no service. In the afternoon Finch and Crew laid before the Lords their charges against the referees. It was then that a scene occurred which showed how deeply the spirit of opposition had penetrated the Upper House. Bacon and Mandeville attempted to reply to the charges which affected them so deeply. As soon as they had finished, Coke asked whether this reply was to be taken as proceeding from the House. With one accord the Lords who were present answered with a bare negative. Not

March 12.

a voice was raised on behalf of the King's theory that the Commons had no right to interfere with the conduct of his ministers. Nor was this all. At the next sitting Bacon and Mandeville were taken sharply to task by Pembroke for speaking at a conference without permission, and were compelled to apologize to the House for their breach of its rules. Even Pembroke's language was not sufficiently guarded for the members of his party. He spoke of the offenders, in the common language of the day, as "two great lords." At the motion of Lord Spencer, the friend and warm political supporter of Southampton, it was unanimously resolved that "no lords of this House are to be named great lords, for they are all peers." †

* Woodford to Nethersole, March 15. *S. P. Germany.* Salvetti's *News-Letter*, March $\frac{16}{26}$. Salvetti's ignorance of the forms of the House has led to some inaccuracies in his account of the affair of the Subsidy Bill. But these mistakes are easily corrected, and are not of a nature to throw any doubt over the general correctness of his narrative.

† *Commons' Journals*, i. 550. *Lords' Journals*, iii. 42.

1621. March. Buckingham's alarm.

These signs were not lost upon Buckingham. Though his name had not been mentioned, he knew well that by a large party in both Houses he was regarded with marked disfavour, and that in the private conversation of the members, his downfall was not unfrequently spoken of as the necessary sequence of the measures which had been taken against the referees.* As the readiest mode of escaping the danger, therefore, he began to put forth his influence with the King in favour of a speedy dissolution.

Advice of Williams.

In his distress he turned towards Williams for advice. The worldly-wise Dean of Westminster was shrewd enough to discern the risks which attended the course upon which his patron was entering. "Do not quarrel with the Parliament," he said in effect, "for hunting down delinquents. It is its proper work. Have no fear lest your reputation should suffer. Put yourself at the head of the movement. Swim with the tide, and you cannot be drowned. If, in order to save some cormorants, you assist to break up this Parliament, which is now in pursuit of justice, you will pluck up a sluice which will overwhelm yourself. The King will find it a great disservice before the year is out. The storm will gather again, and your counsel will be remembered against you. Rather let those empty fellows, Mompesson and Michell, be made victims of the public wrath. Cast all monopolies into the Dead Sea after them. I have searched in the signet office, and have collected almost forty. Revoke them all. Hearken not to Rehoboam's earwigs, who would advise the King to levy money otherwise than by a Parliamentary grant." †

* "Il Signor Marchese . . . cerca di giustificarsi col Parlamento dell' impressione che hanno di lui. Il quale se saprà con venti tanto contrarii guidare la sua barca non farà poco." Salvetti's *News-Letter*, March $\frac{9}{19}$. Compare the letter of March $\frac{16}{26}$.

† Hacket's *Life of Williams*, 50. In the speech as it there stands, the following often-quoted passage occurs :—"Delay not a day before you give your brother, Sir Edward, a commission for an embassage to some of the Princes of Germany or the Netherlands, and dispatch him over the seas before he be missed." Such is the prevailing ignorance of the details of this reign, that even well-informed writers have allowed themselves to believe that this nonsense is a genuine report of Williams's words. Of course Williams said nothing of the kind. Villiers left England in January,

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1621. March. Its acceptance.

Buckingham was charmed with such advice as this. He hurried the dean off to James, who received the counsel as if it had been a revelation from heaven. In the main it coincided with that which Bacon had given before the meeting of Parliament. That James should lead the Commons rather than contend with them was an easy recommendation. But it was one thing to advise the King to take note of the current of popular opinion, and to anticipate complaint by the correction of abuses. It was another thing to urge him to turn savagely upon the agents of those abuses, and to sacrifice to popular clamour the tools whose misdemeanours might, for the most part, be traced to his own carelessness and inefficiency.

March 12. The King's message.

James was not long in acting upon the advice which was thus given him.* On the 12th he sent a message to the Commons in which not a trace was to be found of the asperity which he had so recently manifested. He thanked them for their alacrity in pushing on the Subsidy Bill, and assured them of his readiness to redress their

March 13. Buckingham's declaration against monopolies.

grievances.† In the Upper House, Buckingham played his part with the readiness of an accomplished actor. At a conference which took place on the 13th he stepped forward to speak, though he was not a member of the Committee. Before such a breach of order the fault committed by Bacon and Mandeville shrunk into insigni-

and returned in April. When he left there was no expectation of any disturbance in Parliament. I suspect Williams said, "Keep your brother from returning," or something of the kind. Some such plan was in contemplation. Salvetti, writing on the $\frac{9}{19}$th of March, says, "Villiers non dovrà ritornare cosi presto, o almeno fino che questa assemblea del Parlamento duri."

The speech is however, too characteristic to be altogether imaginary, and was perhaps set down from memory, when the exact nature of the advice given about Villiers was forgotten. In the same speech "Lord Posthumius" is of course a mere printer's or copyist's blunder, for L. *i.e.* Lucius Posthumius, an error which would hardly be worth notice, if it had not been sometimes supposed to be an allusion to Lord Bacon. In the next page Hacket boldly states that "Sir E. Villiers was sent abroad and returned not till September following." This is an evident confusion arising from a dim recollection of Villiers's second mission in the autumn.

* We are not told what was the date of Williams's interview. But judging from the change in the King's tone, I should suppose it to have taken place on the 11th.

† *Proceedings and Debates*, i. 143.

ficance, and he was at once reduced to silence by Southampton. But Buckingham was not to be restrained so easily. He stepped back into the House, and returned with leave to say what he pleased.

When he came back, he spoke with unexpected vehemence. His brother Edward, he said, and his brother Christopher, had been named in the complaints of the Commons. If his father had begotten two sons to be grievances to the Commonwealth, he must tell them that the same father had begotten a third son who would help in punishing them. It was the first time that he had known what a Parliament was, and he was ready to do everything in his power to further the welfare of the King and of the nation.

His quarrel with Southampton.

Smarting under the humiliation which he was undergoing, Buckingham hastened back to the House of Lords, to complain of Southampton's interruption. Hot words passed on both sides, and it was said that, but for the interposition of the Prince of Wales, swords would have been drawn. The arrogant favourite was obliged to explain that he had been absent when the censure was passed upon Bacon and Mandeville, and that he was consequently ignorant of the order against which he had offended.

The Commons profess themselves satisfied.

Very different was the bearing of the Lower House when Buckingham's words were reported to them. The Commons had no personal animosities to gratify. In their zeal for the public good they did not care to scrutinise too closely the motives of the magnificent favourite's conversion. All thought of opposition to him was at once abandoned. On the 14th the Bill against monopolies, which had been brought in by Coke three days before, was read a second time. On the 15th the charge against Mompesson was put into its final shape, and was carried up to the House of Lords. This time not a syllable was breathed against the referees.*

The Monopoly Bill.

The Commons had shown that they were possessed of that political tact which is of more value than any temporary success. It is true that the right of inquiry into

* Woodford to Nethersole, March 15. *S. P. Germany.* Meddus to Mead. *Harl. MSS.* 389, fol. 26, b. *Proceedings and Debates*, i. 150. ii. App. 6.

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the conduct of high officers of state was the key-stone of their position. But for the time, it was of greater importance to define the law than to punish offenders. It was certain that it was impossible to proceed against the referees without alienating the King. If, on the other hand, they could convert into law the Bill which was before them, it would never again be in the power of any minister, however high in favour, to divert disputes relating to commercial privileges from the ordinary courts. The law of inventions protected by patent, whatever it might be, would from henceforth be placed under the safeguard of a jury.

Bacon's position.

Bacon must have felt that, though the immediate danger had passed by, his position was by no means secure. In the House of Lords, though he had no personal ill-feeling to complain of, his connection with Buckingham was a complete bar to his general popularity. The Commons, it was true, had withdrawn their charges against him out of deference for the King, but they were in no humour to criticize very closely any accusation against him which did not involve an attack upon the Royal prerogative. For whatever may be the judgment finally passed upon his conduct with respect to the patents, it is absolutely impossible that he can have been regarded by his political opponents in the full blaze of the revelations of Mompesson's villany, in any other light than in that of a sycophant and a tyrant.

The Registrars in Chancery.

Since its appointment at the commencement of the session, the committee for inquiring into abuses in the Courts of Justice had held its regular sittings on Wednesday afternoons. On the 28th of February, the attention of its members was drawn to the delinquencies of the registrars of the Court of Chancery. These men, amongst whom a certain John Churchill was especially notorious, were accustomed to add to their regular fees by the practice of forging orders, and entering them as if they had been delivered by the Court. Bacon's character was not, of course, affected by this discovery in the slightest degree, but it gave the delinquent a motive for purchasing impunity by informing against his superiors.*

* *Proceedings and Debates*, i. 109. These forgeries must, as a rule, have

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March 14. Bills of Conformity.

The Committee did not meet again till the 14th of March. Cranfield,* who saw that, since Buckingham's speech on the preceding day, his opportunity of calling the referees to account was slipping away, led the attack against Bacon by complaining of his practice of issuing Bills of Conformity. These Bills, by which the Court of Chancery had been in the habit of extending its protection over insolvent debtors who were able to make out a case for its interference, were attacked by the Master of the Wards in the true spirit of a London shopkeeper. Cranfield even went so far as to declare, that, compared with these, Mompesson's knaveries were but a trifle. "It were as good," he said, "a man took away a purse as hinder him recover by justice his due debt." Coke followed on the same side. He could not believe that there were such proceedings in any court of justice. Sir Dudley Digges, who had just returned from a mission on behalf of the East India Company to Amsterdam, spoke the sentiments of the more reasonable traders, who did not altogether regard a debtor as a wild beast to be hunted down without mercy. In old times, he said, there were certain definite cases in which these Bills had been granted, "but now, it is to be feared, that the latitude of the jurisdiction of that Court had brought in many mischiefs." He wished that something might be done, in order that it related to matters of small weight, which would escape the notice of the Court. On one occasion on which Churchill ventured to tamper with a decree of importance he was, as will be seen, detected immediately.

* In his anxiety to prove that there was a good understanding between Buckingham and Cranfield, Mr. Hepworth Dixon (*Story of Lord Bacon's Life*, 371) says that Cranfield received a grant of "a considerable share of the fines which belonged of right to the officers of Bacon's court," by which he got "a pretext for overhauling the Entry Books and scrutinising the receipt of fees." No doubt Mrs. Green in her Calendar states that Cranfield received a grant of the alienation fines on the 22nd of December, 1620. But her statement that it was made to Lord Cranfield at once provokes suspicion, as there was no such person in existence at the date, and a reference to the Patent Rolls shows that she was led into error by a mistake in an old index. The grant was made, not in 1620 but in 1621. It could not well be otherwise, as the fines belonged not to Bacon's officers, but to Bacon himself, and till he surrendered them after his sentence it was not in the King's power to grant them to Cranfield. Mrs. Green's reputation for accuracy stands deservedly so high, that it is always worth while to notice any of the slips which are to be found, few and far between, in that calendar which few have had the opportunity of testing so thoroughly as myself.

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might "not lie in the breast of one man, be it whosoever, to use so large a power, but that he might be tied to the old rules and bounds of Chancery, which is only to mitigate the rigour of the law."*

Digges had evidently made out a case for inquiry. Dislike of technicalities, and confidence in his own powers, were the fertile sources of Bacon's errors. In his eagerness to supersede the imperfections of the existing law, he sometimes forgot to calculate the risk of pouring contempt upon law itself, or to remember that it is only by the establishment of general rules that progress is possible. In his desire to crush opposition to the gold and silver thread patent, which had, as he firmly believed, been established for the benefit of the Commonwealth, he had sanctioned the operations of an arbitrary tribunal, which might in after times be imitated for the worst of purposes, and it is by no means impossible that in the hope of giving protection to a struggling debtor, he may have countenanced measures which, if reduced into a rule, would have made honest trade impossible.

Bacon charged with bribery.

Every day was thus increasing the alienation between Bacon and the House of Commons. Yet there can have been few amongst the members who did not feel a shock when Christopher Aubrey appeared at the bar with a petition in which the Chancellor was directly charged with bribery.

Aubrey's case.

Aubrey had many years previously been employed by Sir William Brunker, as a receiver of certain fines, called the Issues of Jurors, which had been leased to him by the King. The two men had quarrelled, and an action at Common Law resulted in a judgment in Aubrey's favour. Brunker appealed to the Court of Chancery, and in April, 1618, the suit came on for a hearing before Bacon. On the whole he expressed himself in Brunker's favour, but he declined to give any positive opinion till the accounts had been subjected to a strict examination.† Some weeks passed by, and no satisfactory explanation

* *Proceedings and Debates*, i. 157—159.

† Affidavits of Brunker and Twine, Oct. 23, 1617. *Chancery Affidavits*, Mich. T. 1617, Nos. 157, 158. Orders. Brunker *v.* Aubrey, Oct. 20, 1617; April 29, 1618. *Order Book*, 1617, A. fol. 71, 955.

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of his claims could be extracted from Aubrey.* It was not, it would seem, in the correctness of his figures that the strength of his case was to be found. He had already, unless he is grossly belied, bribed and cajoled at least two witnesses to give evidence in his favour. He now ventured on a bolder step. On the 1st of June, he placed 100*l.* in the hands of his counsel, Sir George Hastings, and requested him to give it to the Chancellor himself. The money, he was subsequently informed, had been given and accepted, and he confidently looked forward to a favourable decision upon his case. In less than a fortnight, however, he was undeceived. On the 13th, "a killing order," as he afterwards termed it, ejected him from his post, and appointed a new receiver in his place. Under these circumstances, the production of his accounts became a necessity. His case occupied the court for more than two years; and it was not till November 1620, that Bacon finally announced his award, which acknowledged the justice of many of his claims, but which, as it did not give him all that he had asked, left him a dissatisfied man.†

His petition to the Commons.

Brooding over his injuries, he determined to appeal to the House of Commons. According to the petition which he now presented, he had met with nothing but delay, through no fault of his own. It was at Hastings's advice that he had sent the 100*l.* to the Chancellor. But though the money had been taken, justice had not been done.

Explanation of Hastings.

Aubrey's petition at once called up Hastings, who happened to be a member of the House. He denied that he had ever given any advice of the kind. Aubrey had placed in his hands a box, which he presented to the Chancellor, without knowing what was in it. Mr.

* Orders, Brunker *v.* Aubrey, May 5, 16, 17, 1618. *Order Book*, 1617, A. fol. 931, 937, 1246.

† Affidavits of Ware, Jolly, and Worrall, April 21, June 25, July 24, 1618. *Chancery Affidavits.* Hil. T. 1617-18, No. 634. Trin. T. 1618. Nos. 186, 211. Orders, Brunker *v.* Aubrey, June 13, 1618; Nov. 14, 1620. *Order Book*, 1617, A. fol. 1101, 1620, B. fol. 460. In *Proceedings and Debates*, the date of the "killing order" is erroneously given as July 13, and the bribe is said to have been given on July 1. No doubt both these should be June. The mistake would easily be made in transcribing from Nicholas's shorthand notes.

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Aubrey, he had said, had been a bountiful client to him, and he therefore begged his lordship to accept the present. At the same time he had asked him to do the poor man justice without delay. Bacon had hesitated for a moment, had said that it was too much, and had finally accepted it as a present from himself, and not from Aubrey.*

Though the witnesses contradicted one another upon points of detail, the story was sufficiently startling to arrest the attention of the House. It was followed by revelations more startling still.

Early history of Edward Egerton.

Edward Egerton was one of those impracticable persons who never fail to gather round themselves every element of disturbance, and who pass their lives in complaining of misfortunes which are for the most part the fruit of their own wrongheadedness. He had inherited from his father the estate of Wrynehill in Staffordshire, together with other lands in the neighbourhood. But he was burthened with a load of debt, and he applied for assistance to Sir John Egerton, the head of the Cheshire family of Egertons, to which he was very distantly related.† Sir John consented to help him, and paid his debts. Edward Egerton, in return, executed two conveyances, by the first of which he assured to his benefactor the succession of his estates in case of his own death without issue, and by the second, which was probably educed by fresh assistance to him in his difficulties, he unconditionally made over to Sir John the whole of his landed property. It was noticed that the two men continued on friendly terms with one another, and were frequently seen riding about in company. Yet when Sir John died, in 1614, it was not without surprise that his neighbours learned that, after making provision for his widow, he had bequeathed the whole of his property to his spendthrift cousin, to the entire exclusion of his own children.‡

* *Proceedings and Debates*, i. 160, 164. *Bacon's Works*, ed. Montagu, xvi. Note G. G. G.

† The common ancestor lived in the reign of Edward I. *Ormerod's History of Cheshire*, iii. 350.

‡ *Chancery Depositions*, James I. E. 4, E. 15. Egerton *v.* Egerton. Will of Sir J. Egerton, recited in the Inquisition, p.m. *Chancery Inquisitions*, 21 Jac. I. Part 2, No. 104. It is only fair to E. Egerton to say that he was not present when Sir John's will was made.

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The heir, thus strangely nominated, took possession of the whole estate, and Rowland Egerton, Sir John's eldest son, lost no time in appealing to Chancery for redress.

His dispute with Rowland Egerton.

In December 1615, Ellesmere delivered judgment, as far as the case was then ripe for a decision. Sir John had, a few years before his death, executed a deed by which a large part of his lands was conveyed to the trustees of his son Rowland's marriage settlement, and Ellesmere had no difficulty in deciding that their claim came before that of Edward Egerton. As to the remaining lands, which alone would be affected by the will, he suspended his judgment till the validity of that document had been tested in the Prerogative Court, and till this decision could be obtained, each claimant was to remain in possession of those lands which had belonged to their respective fathers.*

Ellesmere's judgment.

Edward Egerton's resistance.

Fair as this judgment was, Edward Egerton was grievously dissatisfied. He had made up his mind that the second conveyance, by which he had surrendered his own lands to Sir John, was a mere formality, and the discovery that his kinsman had taken it in earnest, and had, by including his manor-house at Wrynehill in his son's marriage settlement, put it out of his power to return to the home of his fathers, was a grievous blow. He determined to spare no effort to overthrow the decision of the Chancellor. He threw every obstacle in the way of the division of the lands, and attempted to get into his possession the deed by which he had relinquished his rights. Bacon's first action in the matter after he received the seal, was to order that his application for this document should be refused. All deeds were to remain in Court till the question of the validity of the will had been determined elsewhere.†

His attempt to bribe Bacon.

As soon as this order was delivered, Bacon may well have thought that the question, as far as he was concerned, was finally settled. The battle which had hitherto

* Orders. Egerton *v.* Egerton, June 28, 1614; Dec. 4, 1615. *Order Book*, 1613 A. fol. 955 ; 1615 A. fol. 574.

† Orders. Egerton *v.* Egerton, April 18, May 11, 1616 ; May 28, June 2, 1617. *Order Book*, 1615 A. fol. 647, 804 ; 1616 A. fol. 818, 798. It was stated in the House (*Proceedings and Debates*, i. 184), that there was another order dated June 16. But of this I can find no trace in the Order Books.

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been carried on in the Court of Chancery, was to be transferred to the Prerogative Court, and in the natural course of things, the Court of King's Bench would be called upon, if necessary to pronounce a final sentence upon the ownership. It was not, therefore, likely, that Bacon would have anything further to do with the matter, except perhaps to give his formal assent to the decision of other judges.

Eight days afterwards, Egerton asked to speak to Bacon, and was told by Sir Richard Young, that the Lord Keeper was too busy to see him. Upon this he produced a bag containing 400*l.*, which Young took, and, in the presence of Hastings, delivered to his patron. But for one circumstance, it is not improbable that Bacon would at once have rejected the money. It is true that it was the ordinary custom to present the Chancellor with a gratuity at the conclusion of a suit. But it had been Ellesmere and not Bacon who had given judgment on the main point, and what little had been done by Bacon in the matter, had not been of a nature to call for any extravagant gratitude on the part of the suitor who was now waiting at the door. It happened, however, that Edward Egerton had been his client in the earlier stages of the dispute, and it was in this capacity that he now approached him. The money, he was told, was offered as a thankful remembrance from a client. He was to buy with it a suit of hangings for his new abode at York House. Yet even with this explanation, Bacon was surprised at the largeness of the sum. Not long before, a present of plate had been brought him by the same client. He now took the purse, poised it in his hand, said that it was too much, and that he could not accept it. Yet at last he gave way to the repeated assurance that payment for past services was intended. He put the money aside, and told Young to assure the donor that "he had not only enriched him, but had laid a tie on him to do him justice in all his rightful causes."*

Bacon accepts the money.

Revival of the suit.

That the money was intended as a bribe it is impossible to doubt. In a few months, the whole question

* *Proceedings and Debates*, i. 161. *Bacon's Works*, ed. Montagu, xvi. Note G. G. G.

was re-opened. The will had been declared valid, but the two parties, unwilling to prosecute the matter further in a Common Law Court, begged the King to refer it to Bacon's arbitration.

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When at last the Chancellor's decision was pronounced, Egerton found, as Aubrey had found before, that his money had been thrown away. By a statute of the reign of Henry VIII., only two-thirds of such lands as were held by knight service were devisable by will. Bacon accordingly decided, that two-thirds of the lands not included in the settlement were to go to Edward Egerton, and the other third to Rowland.

The judgment, in the eyes of unprejudiced persons, was unassailable. The validity of the disputed will had been acknowledged, and everything was now done for Edward Egerton that the law permitted. But in the eye of this litigious and impracticable suitor all this was as nothing. He wanted the reversal of Ellesmere's judgment and the declaration of the nullity of his own conveyance to Sir John. As long as the hated Rowland was master of Wrynehill, his life was embittered. He at once refused to submit to the decree, and Bacon was obliged to direct that the arbitration should be converted into a formal suit. At last, in 1619, he re-affirmed his previous judgment in the shape of a binding decree.*

Further history of Edward Egerton.

There can be no doubt that this decision was substantially just. By Bacon's permission, Edward Egerton brought his case in another form before the King's Bench; and in 1620 judgment was given against him. In 1622 he applied to Williams for redress, and Williams referred him once more to the courts of Common Law, a permission which was only rendered useless by Egerton's stubborn refusal to try the case on any of the issues which were tendered to him. In the next reign, after the disgrace of Williams, he lost no time in applying to Coventry, the new Lord Keeper. The judges to whom the matter was referred by Coventry, reported against re-opening the case. Yet, in spite of this, he was allowed a fresh hearing; and once more he failed to

* Order. Egerton *v.* Egerton, June 16, 1619. *Order Book*, 1618 A. fol. 1409.

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make out his claims. Seldom has any judgment been subjected to such an ordeal, with such triumphant success.*

March 14. Proceedings of the Commons.

Such, as far as it is now possible to recover the truth, is the history of the two cases which were brought before a Committee of the whole House by the disappointed bribers. In one respect, indeed, they differed widely from ordinary cases of corruption. For, in both of them, the complaint was, not that the Chancellor had decided for, but that he had decided against, the person by whom the money was given. Yet there was surely enough to justify further investigation, especially as Egerton produced written evidence to prove that he had not only attempted to bribe the Chancellor, but had promised to pay 6000*l.* to one of Bacon's servants named Davenport, and to Dr. Field, who had subsequently become Bishop of Llandaff, as soon as they could procure a judgment in his favour.

March 15. Further inquiry.

The case was not much altered by further inquiry. A fortnight before, it seemed, Hastings had told Bacon that Aubrey intended to complain against him. "Well, George," had been the Chancellor's reply, "if you lay it on me, I must deny it on my honour;" and, unless he had been misunderstood, he had recently made a similar declaration with respect to Egerton's story. An attempt was made by John Finch to turn the current of indignation against Hastings. He believed, he said, that it was true that Aubrey's money had been given to Hastings, but that Hastings had kept it in his pocket. Such assertions were out of place at this stage of the proceedings. The question was not whether the charges against Bacon were true, but whether there was sufficient evidence to make it worth while to set on foot any further inquiry. The Committee therefore wisely decided upon reporting to the House that in both cases there were causes depending in Chancery at the time when the money was given.

March 16. Feeling of the House.

That the Commons were in some degree prejudiced against Bacon on account of his conduct in the affair of

* Report of Doderidge, Hutton, and Yelverton, Nov. 19, 1627. Egerton *v.* Egerton. *Master's Reports.* Order. Egerton *v.* Egerton, June 16, 1632. *Order Book*, 1631 A. fol. 794.

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the patents, it would be impossible to deny. But there was no wish to deal with him unjustly. On the 16th, the question of the disputed jurisdiction between the Chancery and the Court of Wards came up for discussion. The debate was opened by Cranfield with his usual arrogance. But the House decided that there had been faults on both sides, and forced a member who had cast aspersions upon Bacon's character, to give a less offensive meaning to his words.*

March 16.

March 17. The debate on the charges of bribery.

On the 17th, the report of the Committee on the charges of bribery was brought in by Phelips. His language was singularly temperate. He reviewed the evidence at some length, and pointed out the absolute necessity of a complete investigation. "It is a cause," he said, "of great weight. It concerns every man here. For, if the fountains be muddy, what will the streams be? If the great dispenser of the King's conscience be corrupt, who can have any courage to plead before him?" He concluded by moving that they should "present this business singly to the Lords, and deliver it without exasperation." It would be impossible to get at the truth in any other way. The Commons had no power to summon to their bar a peer of the realm, and they were equally incapacitated from examining his accusers upon oath. The best course for them to take would be to leave the matter entirely in the hands of the Upper House.

They are sent up to the Lords.

So precisely did this proposal meet the exigencies of the case, that Bacon's friends only wasted their breath in pointing out discrepancies in the evidence. Calvert's suggestion, that the King should be asked to institute an inquiry, and the wild rants of Christopher Neville about the Chancellor sitting "like a minotaur in the labyrinth of his court, gormandizing and devouring all that came before him," were equally disregarded by the House. The feeling of the vast majority was well expressed by Sir George More. "Were the Lord Chancellor," he said, "never so great, never so dear unto me, yet the Commonwealth, the mother of us all, is to be preferred before

* *Commons' Journals*, i. 558. *Proceedings and Debates*, i. 183.

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all. I will not speak in favour, nor against the Lord Chancellor. For, if it be gold, why should we fear to try it? I would have us go to the Lords, because we cannot do the Chancellor right without it." To such reasoning there was no reply; and Phelips was ordered to lay the evidence before the Peers, "without prejudice or opinion." *

Bacon's feelings.

Meanwhile Bacon was presiding for the last time in the Upper House. The blow which had fallen was entirely unexpected. He seems to have had no conception that any really well-founded charge could be brought against him; and to have fancied that the Commons, baffled in their attack upon him as a referee, were eagerly adopting a few trumped-up stories in order to punish him for his support of Mompesson.† The conduct of the House was, therefore, in his eyes, a mere factious attack upon authority, to be resisted at all hazards. It was not merely his personal honour which was at stake,—the highest interests of the Crown and of the State were involved in the contest.

His appeal to Buckingham.

His first thought was to hurry to Buckingham, and to beg for his good offices with the King. Buckingham replied that he stood too high in his master's favour to need any aid from him. "That may be true," said Bacon, "but I have always observed that however bright a fire may be, it burns more brightly if it is blown." Something then seems to have been said about the Chancellor's being in purgatory, from which the favourite perhaps wished him a speedy release.‡ On his return home, Bacon poured out his feelings in a letter which came straight from his heart if any letter ever did. "Your lordship," he wrote, "spoke of purgatory; I am now in it, but my mind is in a calm, for my fortune is not my felicity. I know I have clean hands, and a clean heart; and, I hope, a clean house for friends or servants.

* *Commons' Journals*, i. 560. *Proceedings and Debates*, i. 188.

† Such is the feeling which seems to lie at the root of all his sayings at this time, and to be the explanation of the words used by his friend Meautys, "He seeth the way is already chalked out." *Bacon's Works*, ed. Montagu, xvi. Note G. G. G.

‡ Extract from a letter by M. le Chevalier Digby, *i.e.*, I suppose, Sir Kenelm Digby. *Bacon's Works*, ed. Montagu, xvi. Note G. G. G.

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But Job himself, or whoever was the justest judge, by such hunting for matters against him as hath been used against me, may for a time seem foul, especially in a time when greatness is the mark, and accusation is the game. And if this be to be a Chancellor, I think if the great seal lay upon Hounslow Heath nobody would take it up. But the King and your lordship will, I hope, put an end to these my straits one way or other. And, in truth, that which I fear most, is, lest continual attendance and business, together with these cares, and want of time to do my weak body right this spring by diet and physic, will cast me down, and that it will be thought feigning or fainting. But I hope in God I shall hold out." *

It was perhaps at this time that he replied to some one who recommended him to look around him, "I look above me." †

March 18. His illness.

That which Bacon feared was not long in coming upon him. Under the pressure of anxiety, his health, never very strong at the best, broke down completely. On the morning of the 18th he was unable to leave his house.

Ley appointed to preside in the House of Lords.

In this state he received a visit from Buckingham, who found him, as he afterwards reported, "very sick and heavy." ‡ In one respect, the Chancellor's illness served him well. It would have been impossible for him to take his seat on the woolsack till the charges against him were cleared up to the satisfaction of the Peers; and his sickness afforded a good excuse for the temporary appointment of Chief-Justice Ley to preside in the House of Lords during his absence.§

* Bacon to Buckingham. *Works*, ed. Montagu, xii. 406. There is no date to this letter or to Digby's story of Bacon's interview with Buckingham. I have placed them in what appears to me their natural place. They both evidently relate to the earliest time of Bacon's troubles, and the reference in the letter to his health would seem to have been written before March 18, when it actually gave way.

† *Bacon's Works*, ed. Montagu, xvi., p. cccxxix.

‡ Buckingham's Declaration, *Lords' Journals*, iii. 54.

§ That Ley was brought in out of opposition to Bacon is, as will be shown, a theory which can only be supported by distorting the evidence. At the same time I wish it to be understood that my explanation is merely given as that which appears to flow naturally from the known facts.

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The King proposes to take the case into his own hands.

The result of Buckingham's interview with Bacon may no doubt be traced in the proceedings of the Commons on the following morning. "His Majesty," said Calvert, "hath understood of the crimes that are laid to the Lord Chancellor's charge, and is sorry that a man whom he hath preferred should be guilty of such great crimes." He was, therefore, unwilling that accusations of such a nature "should lie long on so great a person;" and was ready, in order to expedite the business, to direct a special commission to six members of the House of Lords and to twelve members of the House of Commons. He would see that they took up the matter vigorously, and that their inquiry was carried on during the Easter vacation, which was now at hand. He accordingly wished to have their opinion on the course thus proposed. If they approved of it, he would send a similar message to the Lords. He hoped that the Chancellor would be able to establish his innocence; but if he failed, he was then prepared "to show himself a most just King."

The proposal was no doubt made in all honesty. By his conduct at the time of the attack upon the referees, James had shown that he had no intention of sacrificing his ministers to popular clamour. But the moment that a direct charge of malversation was brought, he was as ready to consent to a strict and impartial inquiry, as he had six years before been ready to consent to a similar inquiry in the case of Somerset. All he asked was that he should have the appointment of the judges.

No doubt there was much to be said in favour of the scheme. The House of Lords was, with the single exception of the House of Commons, the most unfit body in existence for conducting a political trial. Of all its members, now that the Lord Chancellor was set aside, Mandeville alone had received a legal education. There were many honourable men amongst them, and there were many who by no means deserved that title. But there were few, even amongst the best of them, who were not swayed one way or another by party feelings, and who could be depended upon to give a strictly judicial vote. But if some of the Peers were factious, and

some were servile, the House was still, as a body, tolerably independent, and this was more than could be said of the new tribunal which James proposed to create. That the innovation, if once permitted to come into existence, would be converted into a precedent, was certain; and it was no less certain that whatever confidence might be reposed in the fairness of the King's intentions in the present instance, it would be highly unwise to entrust the power of finally deciding upon the guilt or innocence of government officials to a shifting and temporary court nominated from time to time by the Crown; especially as there would be no other check upon the natural tendency of the Sovereign to support his ministers, than the very slight difficulty which he might find in selecting eighteen satellites of the Court from so numerous a body as that which was composed of the two Houses.

Reception of his proposal by the Commons.

Yet in spite of all the objections which might be brought against his scheme, James was very nearly carrying his point. There was something enticing to superficial observation in the proposal to give twelve votes out of eighteen to members of the Lower House. Popular speakers like Perrot and Alford gave in their adhesion to the plan. But Coke, whose natural acuteness was on this occasion sharpened by his dislike of Bacon, threw the weight of his authority into the opposite scale. "Let us see," he said, "that this gracious message taketh not away our parliamentary proceeding." It was not fit, he held, that any answer should be returned till the Lords had been consulted.

Coke's objection.

Sir E. Sackville.

If there was a man in all that assembly qualified to express the opinions of those moderate politicians who recoiled from extremes on either side, it was Sir Edward Sackville, the brother and heir of the childless Earl of Dorset. Pre-eminent in beauty of person, and in the vigour of a cultivated intellect, he wanted nothing to fit him for the highest places in the Commonwealth but that stern sense of duty without which no man can be truly great. Protestantism, as a great revolt from oppression, he could understand and sympathize with. But Protestantism as a rule of life was beyond his ken.

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He had early broken away from the restraints of marriage, and had followed the seductions of his roving fancy wherever he was attracted by a bright eye or a tender glance. One dark day had passed over him without startling him from his evil course. His guilty love had in some way or other entangled him in a quarrel with Lord Bruce of Kinloss, which led to a challenge. The duel was fought on the frontier, half way between Antwerp and Bergen-op-Zoom, amongst the grassy fields which stretch out their level surface to the low horizon. Young Bruce was left bleeding to death upon the sward, and Sackville returned to find the reward of his prowess in the arms of the light wanton for whose sake he had stained his sword with the life-blood of a fellow-creature.

Such deeds, it is true, are not always followed by penalties of which the world takes cognizance. A man may do them, and yet may die in the full possession of wealth, and of all that wealth can give. But he who does such things is at least morally the worse for them. The shape in which Sackville's punishment came was, that when the great crisis came, when England was marshalled into two opposing camps, he, the man of splendid acquirements, the delight of listening senates, could not choose but take the side on which the arousing voice of Puritanism was hushed, and that he lived to be the minister of Charles in his conspiracy against the liberties of England.

Supports Coke.

That time, however, had not yet arrived. His known good will towards the cause of the German Protestants, his recent determination to accompany Vere to the Palatinate, which had been characteristically retracted on account of some personal affront, had given him the confidence of the popular party; whilst his respect for the prerogative made him equally a favourite with those who looked with dread on the encroachments of the House of Commons. He had been chosen at the beginning of the session to the chairmanship of the Committee for inquiry into the abuses in Courts of Justice, and it had only been by ill health that he had been compelled to resign its functions into the hands of Phelips. He

thoroughly detested everything that savoured of violence or exaggeration; and it might have been expected that he would gladly have yielded to the apparent moderation of the King's suggestion. His personal friendship for Bacon was likely to draw him in the same direction. Yet, in spite of all this, when he stood up it was to second Coke's motion, with some unimportant modifications. No farther resistance was possible; and the House resolved that the King should be informed that if he would lay his scheme before the Lords, they would be ready to join the Upper House in giving him a joint reply. As a matter of course, Phelips was allowed to go before the Peers with his demand for a Conference on the charges against Bacon.*

The King's plan relinquished.

James's first thought upon hearing what had passed, was to prosecute his design. He told Calvert to thank the Commons for their reply, and to assure them that he had already sent to the Lords the message which they desired. If this was the case, his messenger was speedily recalled. At all events, nothing more was heard of the royal scheme. If Bacon were consulted on the matter, it may well be supposed that he would be the first to point out that it was now hopeless. If the Lower House could have been induced to give a warm support to the Crown, the Lords might perhaps have given way. But with the Commons lukewarm or hostile, it was madness to suppose that the Peers would relinquish one tittle of their ancient jurisdiction. Any attempt to press the matter now, would only be to the detriment of the accused.

The charges laid before the Lords.

That very afternoon had been appointed for the Conference between the Houses. Not a word was breathed on the subject which had been in agitation during the morning. Phelips contented himself with laying before the Upper House the evidence collected in the cases of

* *Proceedings and Debates*, i. 193. *Commons' Journals*, i. 563. The theory that Phelips went to demand a conference contrary to the intention of the Commons is not only unsupported by evidence, but appears to me to involve a thorough misunderstanding of the temper of the House, and of its intentions in adopting the proposal to wait for the opinion of the Lords.

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Aubrey and Egerton, and with respectfully demanding inquiry.*

March 19. Bacon's letter to the Peers.

After the Conference was at an end, Buckingham hastened to York House to inform the Chancellor of the events of the day. He found him more cheerful than he had been of late, and full of confidence that the Lords would do him justice. When he left, he carried with him a letter in which the sick man begged for time to answer his accusers. He thought it likely, he said, that more petitions would be put up against him; but he trusted that they would not give any weight to the mere number of the complainants. He had made more than 2000 decrees yearly; and it was easy to make a great show by hunting for accusations. Whatever the charges might be, he trusted that time would be granted him to answer them severally.

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The next day the Lords resolved to proceed at once to the examination of witnesses; and at Southampton's motion an answer, drawn up in rather curt terms, was returned to the Chancellor's letter. He was briefly informed that justice would be done.†

Lady Wharton's case.

Bacon was right in supposing that the attack thus commenced would not rest here. The next morning a petition was presented to the Commons, demanding inquiry into his acceptance of a bribe of 300*l.* from Lady Wharton.

Lady Wharton, such is the story which may yet be gleaned from the records of her endless litigations, had been three times married. Her second husband, Sir Francis Willoughby, had left her a considerable property, which had given rise to long and bitter contention in the law courts. Her last appearance in Chancery, at least, had not arisen from any fault of her own. A discontented servant rummaging amongst her papers, lit upon a deed by which Sir Francis, long before he married her, had made over to his daughters by his first wife, a large portion of those very lands which he subsequently bequeathed to his widow. The man saw in his discovery

* *Proceedings and Debates*, i. 194. *Commons' Journals*, i. 563. *Lords' Journals*, iii. 51, 53.

† *Lords' Journals*, iii. 54.

an opportunity for revenge, took a note of the contents of the document, and, as soon as an opportunity offered, communicated what he had learned to the husbands of Sir Francis' three surviving daughters. The consequence was, that in the spring of 1618 a Chancery suit was commenced by these three gentlemen to compel the surrender of the deed, whilst Lady Wharton filed a cross bill to obtain a judicial declaration of its invalidity.

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Bacon's judgment.

On the 30th of October, 1619, Bacon delivered judgment in the cause. Sir Francis, it appeared, had reserved to himself a power of revocation; and, though there was no legal proof that he had made use of any such power, there was sufficient evidence that he had again and again acted in such a way as to show that he considered the deed no longer to be binding upon him. Upon these grounds the Chancellor decided that the deed must be considered to have been revoked, and that there were no grounds for compelling Lady Wharton to surrender a document which was no longer of any importance.*

Practically, the whole question was settled by this decision. But Lady Wharton's demand for a formal condemnation of the deed had yet to be heard. Accordingly, the lawyers on both sides were summoned to York House to argue what must have appeared to Bacon to be a question now devoid of interest. The deed was produced, and Serjeant Ashley, the counsel for Lady Wharton's opponents, brought forward some arguments in favour of his clients which had not been used in court before. Bacon, accordingly, was about to direct that the questions thus raised should be formally argued before him, when Shute, who was acting as counsel for Lady Wharton, interposed. His opponents, he said, should have no benefit by his client's bill. She would at once withdraw her demand for a declaration of its validity. In fact, she had got all that she wanted. As she was now entitled to keep the document in her own hands,

* Order. Willoughby *v.* Wharton, Oct. 30, 1619, Feb. 12, 1621. *Order Book*, 1619 A, fol. 978, 1620 A, fol. 749. *Miscellaneous Chancery Proceedings. Eliz. to James II. Bills and Answers. Single Bills*, 1620—24, Part 33, No. 98. Dalston *v.* Willoughby, May 11, 1622.

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it was of no importance whatever to her whether its invalidity were formally declared or not. Upon this the lawyers on the other side, who probably knew well enough that Serjeant Ashley's arguments were worth little or nothing, expressed their willingness to withdraw their bill also. Bacon, accordingly, agreed to the dismissal of both bills by the consent of the parties, taking care however to direct Churchill, the registrar, to see that, in entering the order, the reasons which he had recently alleged against the validity of the deed were allowed to appear.*

* "E. Willoughby, Esqre., Winifred his wife, W. Pargiter and Abigail his wife, M. Wood and Frances his wife, Plaintiffs. "The Lord and Lady Wharton, Sir R. Lovelace, and E. Molineux, Defendants, et e contra.

"William Pargiter maketh oath that My Lord Chancellor having appointed one counsellor of a side to attend him at his house, where Mr. Serjeant Ashley, being of counsel with the plaintiffs, read a deed of my lady's brought thither by Mr. Shute being of her counsel, and after the reading of the said deed used some reasons to his Lordship on the plaintiff's behalf, which my Lord confessed he had not heard before; whereupon it was desired on the plaintiffs' behalf, that my Lord would be pleased to appoint a time to hear them, for those reasons were the substance of my lady's cross bill. His Lordship was well pleased so to do, but Mr. Shute, being of counsel with my lady, refused to go to a hearing upon that bill, affirming that the plaintiffs should have no benefit by my lady's cross bill, for they would let it fall, and desired his Lordship to dismiss it; whereupon the counsel of the plaintiffs desired a dismission of their bill also; whereupon his Lordship did pronounce a dismission of both bills with some reasons to be inserted against the validity of the plaintiff's deed; and the Registrar, Mr. Churchill, did draw up an order for dismission of both bills accordingly about the latter end of Michaelmas Term last.

Intratum. Juratum 27° Junii, 1620.
Jo: Amye."

Chancery Affidavits, Trin. T. 1620, No. 90. I have inserted the whole of this affidavit because it is partly upon this that Mr. Hepworth Dixon's account of the Wharton case in his story of Lord Bacon's life is made to turn. His story is in every important particular contradicted by the evidence. He speaks of the suit itself as the reopening of an old one. He gives no authority for this statement, and it is refuted by the order of Feb. 12, 1620 (*Order Book*, 1620 A, fol. 749), and by Dalston's Bill already quoted. He then speaks of an order forged by Churchill, by which I suppose he means the order of Oct. 30, 1619, as he speaks of it as prior to the affidavit of June 27, 1620, and there is no other to which he can possibly refer. He says that Ashley attended "with a deed drawn up by Shute for Lady Wharton, in accordance with the forged entry, and explained the reasons for this deed, that Bacon stopped him short with an intimation that those reasons were new to him, and that Ashley, surprised, appealed for a new hearing, which Bacon, though the case was closed and the fee paid, could not refuse." The facts are that Ashley was not Lady Wharton's lawyer, but was retained on the oppo-

Bacon's decision had satisfied the lawyers, and had satisfied the claims of justice; but, as is not unfrequently the case, it had not satisfied the suitors. Nothing short of an absolute condemnation of the deed, pronounced in the most formal manner, would be acceptable to Lady Wharton. She would not hear of the withdrawal of her bill. She carried Churchill with her in her coach to York House, and entreated the Chancellor to rescind his order, and to allow the suit to proceed. Nor was it only from Lady Wharton's side that the pressure came. Her opponents, who knew that they had nothing to lose by reopening the case which had hitherto gone so completely against them, urged the same request. In face of this united demand, Bacon was powerless. He withdrew the order for the dismissal of the suits, and directed that the judgment by which he had granted her the custody of the disputed deed, should be entered on the books at once. Yet upon this latter point he subsequently gave way, on a fresh petition from the lady's opponents; and the whole affair was allowed to stand over as an open question till a future day.*

As it would not be long before a final decision must be given, the concession was of no great importance. Such however was not the opinion of Lady Wharton. She

site side: that there was no deed drawn up by Shute, or by anybody else, for Lady Wharton; that no entry had yet been forged, for the only decree of importance, viz. that of the 30th of October, 1619, was not yet entered at the time of the hearing referred to in the affidavit, as we know from an order of the 29th of June, 1620 (Order Book, 1619 A, fol. 1541); and lastly, as I shall afterwards show, that the fee, by which Mr. Dixon means the money-payment to Bacon in receiving which he was considered to have been guilty of corruption, was also not paid before this hearing, which according to this affidavit was followed by an order drawn up "about the latter end of Michaelmas Term," 1619. There are, as will be seen, difficulties about this Wharton case, but no solution of them is to be hoped for, as long as the plainest facts are misapprehended.

* Churchill afterwards represented Bacon's agreement to rescind his order for the dismissal of the suits as a special favour to Lady Wharton. But the words of the order of Dec. 9, 1619, are decisive against this view of the case. It commences thus:—"Upon a petition exhibited unto the Right Honourable the Lord Chancellor on behalf of the said Pargiter and others, the co-heirs of Sir Francis Willoughby, it was desired for the reasons therein expressed that the lady might procure her cause upon her cross bill to be heard in Court before his lordship the next term, &c." *Order Book*, 1619 A, fol. 370. Again, in an order of June 1, 1620 (*Order Book*, 1619 A, fol. 1290), the delay is ascribed to a petition, not from Lady Wharton, but from the plaintiffs.

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was indignant that her adversaries should have had any respite whatever; and she convinced herself that the favour shown to them was owing to some sinister influence. She fancied, as Aubrey and Egerton had fancied before, that a bribe given to the Chancellor would be followed by the utter discomfiture of her enemies. She consulted with her attorney, a man named Keeling. The result was that she put 100*l.* in a purse, and, accompanied by his servant Gardner, drove straight to York House. "What is that," said Bacon, as soon as she was admitted, "that you have in your hand?" It was, she replied, a purse of her own working, which she hoped his Lordship would accept. "What Lord," he said, "could refuse a purse of so fair a lady's working?" Before she left him, she told him that 200*l.* more would be at his disposal as soon as the decree was really passed.

Such was the scene which took place three days before the 29th of June, the day on which the final argument of the lawyers was heard. The result was what might have been expected. Bacon adhered to the decision which he had announced seven months before. The Order of the 30th of October was to be passed and entered. A few days later, Lady Wharton returned to York House with the promised sum of 200*l.* The money was taken, and the long delayed decree was entered on the books.*

The falsified order.

So much, at least, is clear. But it seems that in pronouncing judgment on the 30th of October in the preceding year, Bacon had said something which did not find its way into the books in which the orders of the Court were entered by the registrar; and the Chancellor afterwards expressed his belief that Lady Wharton's lawyer, that very Shute who had been so strongly recommended by himself for the Recordership of the City, had been tampering with Churchill, the Deputy Registrar. It was not long before the audacity of the deceit was detected. An attempt on the part of Lady Wharton's opponents to reopen the case at Common Law, was met by an appeal to Chancery; and though Bacon, at first, granted the

* *Proceedings and Debates*, i. 203, 206. Order. Willoughby *v.* Wharton, June 29, 1620. *Order Book*, 1619 A, fol. 1541.

injunction asked for, yet as soon as his attention was specially called to the order in question as having been drawn up "contrary to the true intent and meaning of the Lord Chancellor," he acknowledged the justice of the objection. The decree, he said, had been "not duly obtained;" and Lady Wharton must, therefore, either show cause why the whole case should not be reopened, or must be content to fight out her battles at Common Law.*

What was the precise point upon which the order as entered differed from the order which was actually delivered, we have no means of knowing with certainty. Judging, however, from what we do know, it seems probable that an appeal on some question or other to the Common Law was intended to be given; and that Lady Wharton, who had impudently begun by bribing the Chancellor to pronounce a decree in her favour, ended by no less impudently bribing the Registrar to alter the decree when she found it not altogether to her liking.

The case laid before the Commons,

Lady Wharton had been playing a game in which it behoved her to keep her counsel well. But she could not hold her tongue. It was soon known to her opponents that she had paid 300*l.* into Bacon's hands. It was no longer a secret that Bacon's judgment had been tampered with. And they now discovered that the lady

* Orders. Willoughby *v.* Wharton, Feb. 12. Pargiter *v.* Wharton, March 12, 1621. *Order Book*, 1620 A, fol. 749, 801. Compare two orders by Williams—Wharton *v.* Willoughby, Nov. 3, 1621, and Willoughby *v.* Wharton, Feb. 20, 1622. *Order Book*, 1621 A, fol. 88, 428. The case was afterwards sent by Williams to the King's Bench for a decision on the validity of the conveyances. The decree which was tampered with is stated expressly in the order of Feb. 20, 1622, to have been that of the 30th Oct. 1619, which is in fact the only substantive decree in the whole case. The final order to enter it was only given on the 29th of June, 1620, and therefore any attempt to explain the story by supposing that the falsification took place earlier may be rejected at once. We are now able to get at the date of the payment of the money. Keeling said it was "about the time of the passing of the decree." (*Proceedings and Debates*, i. 202.) Gardner said more distinctly, "three days before the decree was made" (*Proceedings and Debates*, i. 206), meaning, as appears from the context, the decree of the 29th of June, 1620. If there were any reason to doubt this evidence it would be removed by Bacon's own confession that the money was received "*pendente lite*." If the first 100*l.* had not been received till after his judgment of the 29th of June, ordering the entry of the October decree, he would surely have pointed out that, practically at least, the case, as far as he was concerned, was closed.

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had been to Bacon to complain of the reopening of the case, and that he had consoled her by reminding her that a rehearing did not necessarily imply defeat. Is it to be wondered at that they came to the conclusion that the whole affair was a swindle carried on between Lady Wharton and the Chancellor, and that the last concession made to them was merely a device to put off the final decision till Parliament was no longer sitting? Under this impression, they heard how the House of Commons had listened to the petitions of Aubrey and Egerton, and they at once laid their own grievances before the same tribunal.

and sent up to the House of Lords.

Inquiry was accordingly made. Churchill was examined, but was found to be too prudent to tell a story which would compromise himself. Keeling and Gardner were more explicit; and the fact of the acceptance of the 300*l.* was established beyond dispute. Coke was delighted at the turn which matters were taking. "A corrupt judge," he said, "was the grievance of grievances."* Bacon's friends were reduced to a general appeal to his character, and to a denunciation of the little credit due to the informers. As a matter of course, Phelips was ordered to bring this case too to the knowledge of the Lords.†

Inquiry into Bacon's conduct.

The Wharton case is undoubtedly the one upon which the assailants of Bacon's good name may fairly elect to take issue. In the Aubrey case it is impossible, in the present state of the evidence, to know with what words the nakedness of the bribe was disguised. In the Egerton case the disguise was such that, amidst the pressure of business, it was not impossible that an honest man might have failed to penetrate it. But in the Wharton case all was open. No doubt the evidence laid before the Commons was misleading. Churchill, for his own purposes, represented Bacon as far more pliant in Lady Wharton's hands than he really was. The accidental circumstance that the last order reopening the case was not delivered

* Chamberlain to Carleton, March 24. *S. P. Dom.* cxx. 38. The writer does not state on what occasion the words were used. But it can hardly have been at any other moment than when this revelation was made.

† *Proceedings and Debates*, i. 208.

till after the meeting of Parliament, was calculated to give rise to unfounded suspicions. But after all deductions have been made for misrepresentation and misunderstanding, the fact that money was actually taken from a suitor before judgment was delivered remains unaffected by any explanations, and was afterwards admitted to be true by the Chancellor himself.

Distinction between various modes of payment.

There were three ways in which, according to the notions of the day, a public official might receive money. A bribe was, what it has always been in every age, money given to influence the future action of the person in authority. A fee was a certain definite payment, the amount of which was settled by custom or authority, and which was regarded as the proper mode of obtaining payment for official services in an age when official salaries were purely nominal. But besides these there had grown up a class of payments, especially to persons high in authority, which were neither fees nor bribes. Under the name of gratuities, it was the custom to reward the Lord High Treasurer or the Secretary of State with presents, undefined in amount, as a reward for the trouble which they had taken, and as a retainer of their good will in case of a necessity arising for troubling them again. It was thus that, after the treaty with the Dutch in 1619, Digby, who had taken a leading part in the negotiations, openly received a present of plate from the East India Company; and that Carleton, who believed that he had contributed, by his efforts at the Hague, to the success of the negotiations, complained bitterly and without reserve that a few hundred pounds had not been placed at his disposal by the same body. Under any circumstances, such a custom must have been attended by grave abuses. But it reached its height when it was adopted by a judge in a court of law; for amongst the multiplicity of business it was always possible that the most innocent transaction might be clothed with the semblance of corruption. A suit once closed might be reopened, or the successful litigant might have a second suit on hand with a third party. In either case the Chancellor who accepted the gratuity as soon as his decision was pronounced, was at any time liable to the

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discovery that the donor had other objects in view than the simple payment for past services.

March 20. Gratuities in Chancery.

If, therefore, all that could be said against Bacon was that he had occasionally made mistakes,—that he had fancied that suits were ended when they were not ended, or that he had not detected the intention with which money, ostensibly given under other pretences, had in reality been offered, there would be cause for regret that he had not been more sharpsighted, or that he had not endeavoured to reform the abuses by the simple remedy of substituting fees for gratuities; but there would hardly be sufficient ground for charging him with any deep moral culpability.

Bacon's fault.

Unfortunately, however, in the face of the Wharton case no such explanation is possible. Bacon knew perfectly well when he took the purse that the suit was not concluded; and he was certainly not ignorant that to accept money from a suitor under such circumstances was to do that which, in any other person except himself, he would have been the first to stigmatize as proof of the vilest corruption.

How far was it a proof of moral corruption?

Yet, if no flaw is to be found in the evidence which shows that Bacon's conduct was utterly inexcusable, it is by no means so plain that he was aware at the time of the enormity of his actions. Whatever Churchill might choose to say, it is certain that it was not Bacon's fault that the whole case was not closed six or seven months before he touched a penny of Lady Wharton's money. He had dismissed the whole affair, and had given a judgment which was entirely satisfactory to the lawyers on both sides, when Lady Wharton's litigiousness brought the case again before him. Again and again his time had been occupied by this quarrelsome old lady's folly. The approaching decision which he was to deliver in court, he may have argued, was a pure formality. His decision had been given long ago, and all that he intended to do was to reaffirm it. What, then, did it matter whether he took the purse now or a week later? It would not affect his judgment one way or another.

That it did not affect his judgment is certain. All that followed upon the reception of the purse was a

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direction that an order given nine months before should be entered in the books. Nor is it true that Lady Wharton's case was in any way expedited by her gift. For on the 1st of June, at least three weeks before the purse was given, he had fixed upon the 29th as the day on which he was to dispose of the affair.*

The charge, therefore, that Bacon knowingly and corruptly sold or delayed justice falls entirely to the ground. The only possible explanation of his conduct is that, with his usual carelessness of forms, he contented himself with knowing that the immediate reception of the money, which he believed himself to have fairly earned, would not influence his decision; in other words, that, without a corrupt motive, he accepted money corruptly tendered. The suspicions to which his conduct would be exposed, and the evil lesson which he was teaching to the anxious and unscrupulous crowd of suitors did not enter into his calculations.

Cases of Holman and Smithwick.

As it was most improbable that the man who had taken Lady Wharton's purse had not laid himself open to other charges, the Lords can hardly have been surprised that when the case of Lady Wharton was brought before their House it was accompanied by two others. As the Peers subsequently refused to entertain one of these complaints, it may be taken for granted that it could not be substantiated. The other proceeded from a merchant named Smithwick, who asserted that he had improperly paid over 200*l.* to the receiver of the Lord Chancellor's fines. It did not, however, appear that Bacon knew any-

* "Whereas Mr. Shute, being of the defendants'," *i.e.*, Lady Wharton's "counsel, came this present day and moved the Rt. Honble. the Lord Chancellor for the signing and passing of a decree drawn up by the Registrar upon the hearing of the said several causes the 30th of October last, the signing whereof hath been hitherto forborne by reason of the petition preferred by the plaintiffs; which decree his lordship would not yet pass, being a matter of great moment in regard it hath rested so long without the hearing of the plaintiff's counsel what they can say to maintain their suggestions contained in their petition. For which purpose it is ordered that counsel on both sides shall attend in Court on the second Tuesday in the next term, when such further order shall be taken touching the passing of the said decree as shall be fit; and the plaintiffs or one of them are to have notice hereof; to the end they may be provided at the time aforesaid, and the cause to be entered into the paper of that day." Order. Willoughby *v.* Wharton, June 1, 1620. *Order Book*, 1619 A, fol. 1290.

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thing about the matter at the time, and Smithwick himself allowed that he had petitioned the Chancellor for relief, and that the money had been repaid.

March 20. Churchill's list.

These five complaints, then, were all that were voluntarily brought before the House by persons who felt themselves aggrieved. But a long list of Bacon's evil deeds was drawn up by Churchill. Knowing well that a man who is anxious to divert attention from his own misdemeanors is unlikely to be scrupulously accurate about the faults of others, the Commons, in that spirit of judicial fairness which had characterized the whole of their proceedings in this lamentable affair, took care to avoid all responsibility for the assertions of the guilty registrar, and laid his paper before the Lords without note or comment.*

March 23. Bacon regains his cheerfulness.

Bacon had recovered his cheerfulness as soon as it became plain that his conduct was not to be submitted to a vote of the House of Commons, but to a judicial inquiry in the House of Lords. "His most judicious friends," says a letter writer of the day, "have already given him for gone. Notwithstanding, himself is merry, and doubteth not that he shall be able to calm all the tempests raised against him,"† His own feeling appears to have been one of bewilderment. "When I look into myself," he

March 25. wrote to the King, "I find not the materials of such a tempest as is come upon me." He had never, he said, "been the author of any immoderate counsel." He had "been no haughty, or intolerable, or hateful man in" his "conversation or character." Even now, it seems, he could not understand how unpopular many of his acts had been.

Of the charges brought against him he spoke like a man of honour who is opening his eyes to the possibility that he may have committed faults, but who is still blind to their heinous nature. "For briberies and gifts wherewith I am charged," he wrote, "when the book of hearts shall be opened, I hope I shall not be found to have the troubled fountain of a corrupt heart in a de-

* *Proceedings and Debates*, i. 206. *Lords' Journals*, iii. 61.
† Brent to Beaumont, March 23. *Bacon's Works*, ed. Montagu, xvi. 328.

praved habit of taking rewards to pervert justice, however I may be frail and partake of the abuses of the times. And therefore I am resolved, when I come to my answer, not to trick my innocency, as I writ to the Lords, by cavillations or voidances; but to speak to them the language which my heart speaketh to me, in excusing, extenuating, or ingenuous confessing; praying God to give me the grace to see to the bottom of my faults, and that no hardness of heart do steal upon me under show of more neatness of conscience than is cause."*

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It was perhaps in consequence of this letter of Bacon's that James resolved upon addressing one of his usual discursive speeches to the two Houses. The Commons, he said, had at last learned to treat him with respect. The Lords had always behaved well. He was, therefore, glad to see his son sitting amongst them. The whole world was talking of bribes, and he supposed that they had bribed the Prince to plead their cause. He would at once call in the obnoxious patents by proclamation. He would gladly give his consent to a Bill against informers. Buckingham had said that he had never had so much quiet as since the meeting of Parliament, as he was now freed from the crowd of projectors and informers, who, at other times, miserably vexed him at all hours. As for himself, he must acknowledge that in looking upon the face of the Government, he had thought, as every man would have done, that the people were never so happy. Yet it now seemed that the country resembled some of his own coppices. When he rode round them they appeared on the outside very thick and well grown; but when he entered into the midst of them they were discovered to be full of plains and bare spots. So it was with the kingdom. The external government was good; but he was ashamed, and it made his hair stand upright, to consider how his people had been vexed and polled.

March 26. The King's speech to the Houses.

He then proceeded to touch upon Bacon's case. He doubted not, he said, that there were matters before them, some complained of out of passion, and some out of just cause of grievance. Let them weigh both, with-

* Bacon to the King, March 25. *Works*, ed. Montagu, xii. 66

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out allowing themselves to be carried away by the impertinent discourses of those who named innocent men as well as guilty. Let their judgment take hold of the guilty only. Let them proceed judicially, and spare none where they found just cause to punish.*

Position of the King.

A speech like this may fairly be taken as a genuine expression of the King's feelings. With the House of Commons he had every reason to be well satisfied. It had, at his bidding, refrained from trenching upon his prerogative by questioning the referees. It had granted two subsidies with unprecedented alacrity. It had abstained from pressing upon him its undoubted opinion in favour of an immediate declaration of war. The attack upon Michell and Mompesson did not touch the rights of the Crown. Nor, though he evidently wished well to Bacon, had he any desire to shelter him from a well-founded accusation. To hold a chancellor responsible for his legal opinion given in good faith was one thing; to hold him responsible for corruption was another. And to do James justice, during the whole course of his reign he never once allowed personal favour to shield anyone whom he had reason to believe guilty of actual crime. What Bacon asked for was a fair inquiry, and to secure him this was the object to which the King addressed himself. In placing the Houses in a good humour by assuring them of his intentions to cancel the obnoxious patents, he did everything in his power to bring them to a temper which would enable them to consider the question of Bacon's conduct upon its own merits.

Sentence upon Mompesson.

Upon the first part of the speech at least the Upper House was prepared to act. That afternoon sentence was delivered upon Mompesson in his absence. He was to be degraded from the order of knighthood, and to be condemned to perpetual outlawry. His testimony was never to be received in any court. He was to be exempted from all general pardons. If ever he returned to England, he was to be imprisoned for life, and never to be allowed to come within twelve miles of the Court. His property

* *Lords' Journals*, iii. 68. In a letter written to Meade, (*Harl. MSS.* 389, fol. 43,) it is said that the King spoke directly of the Chancellor. This does not appear from the printed speech. But the allusion is evident.

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was to be forfeited, and he was to pay, from what source does not appear, a fine of 10,000*l.* Lastly, he was to be held for ever an infamous person.

March 27. The Easter vacation.

For the first time since the evil days of Henry VI. the House of Lords had sat in judgment upon a subject accused of official malversation. The revival of the practice was undoubtedly an indirect censure upon the Sovereign whose want of energy and circumspection had allowed Mompesson's oppressions to flourish under the shadow of his name. But it was only for direct aggressions upon his prerogative that James had eyes, and he was blind to the lesson conveyed by the history which had been unrolled before him. The Lords were in high spirits. They ordered that the 26th of March, the day of the King's last speech, should be yearly held as a sermon day through all England. The two Houses then adjourned for the Easter vacation till the 17th of April.

March 30. The patents cancelled.

The Lords' Committees appointed to examine into Bacon's case were directed to remain sitting during the vacation.* But three weeks would, however, pass before their report could be made, and there would be time for the animosities of party warfare to cool down. If the charges against him had proceeded, as he once thought, from mere faction, James was doing everything in his power to allay the resentment of the popular party. On the 30th of March he followed up his recent speech by a proclamation cancelling the patent for gold and silver thread, the patent for inns, and the patent for concealed lands.†

Buckingham advocates a dissolution.

But there was one at least by James's side who was not content with such sober measures as these. With the headlong impetuosity which was natural to him, Buckingham had now thrown himself heart and soul into his friend's defence, and he was all the more eager because rumours had reached him that there was a party in the two Houses which had formed the intention of directing against himself the weapons which had proved so serviceable against Bacon. Once more the fears which had driven him to his base desertion of the referees disturbed

* *Lords' Journals*, iii. 73.
† Proclamation. *S. P. Dom.* clxxxvii. 91.

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his mind. He had taken Williams's advice in vain. He had courted popularity only to make the way to his ruin more easy. For the evil which he dreaded there was but one remedy,—the immediate dissolution of Parliament. Yet, unaccustomed as he was to plead in vain, he now found the King's ear closed to his appeals. James was indeed capable of quarrelling with a Parliament upon some petty point of personal dignity; but the great wrong which his favourite now urged him to commit was utterly distasteful to his nature. He would not allow the representatives of the people to return to their homes with the tale, that when grave charges of peculation had been brought against a minister of the Crown, their King had refused them even the common justice of an investigation into the truth of their complaints. So urgent had Buckingham's language been, and so public was the rebuff with which he was met, that for some time it was believed at Court that the breach between himself and his Sovereign was irreparable, and that the often-foretold downfall of the arrogant favourite was at last at hand.*

* "Aspettiamo adesso l'esito del resto, et sopra tutto della causa del Gran Cancilliere, et forse d'altri di qualche qualità perchè il dire che fece il Rè che non risguardassero a persona, non n'eccettando il suo proprio figliuolo, ha dato loro tanto animo che sono d'oppinione che faranno quanto potranno per essaminare le azioni del Signor Marchese di Buckingham, et tanto piú quanto credono che questa franca permissione di Sua Maestà proceda da stracchezza verso la parte, la quale se punto apparisca, ognuno puol poi fare giudizio del resto." Salvetti's *News-Letter*, March 30.

April 9

"Il Gran Cancelliere se prepara per fare i suoi difesi; ma con apparenza che gli habbino da servire a poco; non scuoprendo nel Parlamento inclinatione nessuna di ammettergliene, et contra del Marchese se bene gli humori sono preparatissimi, credo però che se la passeranno con questa voglia." Salvetti, April $\frac{6}{16}$.

"Si" le Parlement "eust duré davantage, le Chancelier eust eu le sault; et, comme j'entend, non sans subject, ayant fort malversé en sa charge. Le Marquis de Buckingham l'assiste de tout son pouvoir, et n'en peult venir a bout, non plus que de la rupture du Parlement, qu'il a fort souhaitée; ce que fait juger a aucuns que ce Roy s'en veut deffaire par le moyen dudict Parlement, comme il fist du Comte de Sommerset, et par le moyen de la feue Reine sa femme; soit que la longue conversation qu'il en a eue luy a donné de disgoust, ou bien que, voyant qu'il est mal voulu de tout, et luy pour son subject, il le veuille donner a la haine generale pour se reconcilier les cœurs de ses subjects." Tillieres to Puysieux, April $\frac{3}{13}$. *Bibl. Imp. MSS. Harl.* 123, 17, fol. 47.

1621. April. Buckingham gives way.

It is hard work to follow out with accuracy the Protean changes of such a mind as Buckingham's. Perhaps he took counsel once more with the cautious Williams. Perhaps he was really influenced by the arguments of the King, or by rumours which may have reached him of the disclosures which were being made before the Lords' Committees. Before the vacation was at an end, he had completely shifted his ground. As he could not save himself by throwing over the Parliament, he would try to save himself by throwing over Bacon. He was sorry, he was now heard to say, that the Chancellor's conduct had been so bad. He could not be sorry for his disgrace, for that, at least, he had richly deserved. There were not, however, wanting those who thought that Buckingham was merely making a virtue of necessity, and that he shrunk from Bacon's defence, merely because he saw that it was impossible to save him.*

These extracts will, I hope, put an end to the theory which has had extraordinary vitality, that Bacon's fall was caused by Buckingham's weariness of him. Mr. Hepworth Dixon has lately gone so far as to suppose that there was a set conspiracy to ruin Bacon, in which Buckingham took part, and in support of this supposition he brings forward a string of references to original documents. A search among these documents will, however, be sufficient to convince any competent inquirer that their purport has been completely misapprehended by Mr. Dixon, and that they not unfrequently are in direct contradiction with the statements in his text. One instance will suffice. Mr. Dixon asserts (*Story of Lord Bacon's Life*, 412), that Buckingham and his party in the House of Lords, "were resolved to have their way in this business, either through the law or against the law. By rule of Parliament, the Lord Chancellor, and of course an inferior person acting in his place, sat on the Woolsack while the Lords were in session, and removed to his seat while they were in Committee. Ley, not being a baron, should have dropped to a back bench on the motion for a committee being carried; but Sir James on a back bench, obscure, unnoticed, without a vote, would have added no strength to Lady Buckingham's party, while the peer in the chair would probably be just, and possibly favourable, to Lord St. Albans. So, setting at nought the forms of Parliament, they proposed that Ley should return to the chair, and direct the House, while they sat in committee on Churchill's charge. Some protested against this course, but the Prince and Buckingham being present, the vote was carried." It is almost incredible, but it is nevertheless true, that every word of this is the product of Mr. Dixon's too vivid imagination. The *Lords' Journals* (iii. 55) tell us, that upon Pembroke's motion the House went into committee: "Whereupon the Lord Chief Justice removed to his place as an assistant," that is to say, he did precisely that which Mr. Dixon says he did not do—he went to a back bench. Then "after much debate thereof, the Lord Chief Justice returned to the place as speaker, and it was agreed," &c.; that is to say, after the committee was over, the House resumed. Ley of course returned to the chair, and put the question.

* "Pour le Chancelier il n'est remis sur le trottoir, mais il y sera

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1621. April. Bacon's request for an audience.

But whatever the truth may have been, Buckingham's insane demand for a dissolution had never been supported by Bacon. Every letter that he wrote, every word that he uttered, gave token of his readiness to see the charges against him sifted to the uttermost. At first he had believed them to be pure inventions trumped up to gratify the malice of his enemies; but as the vacation passed, and rumours reached him of the progress of the evidence, he was driven to abandon the ground which he had taken up. He now could no longer deny that, at least through inadvertence, he might have erred. He was sufficiently recovered to leave his house, and he requested the King to grant him an audience. James accorded his petition, having first taken the precaution of informing the Council of his intention.

His memoranda.

The papers on which the Chancellor jotted down the memoranda of which he intended to avail himself, have fortunately been preserved. "There be three causes of bribery," he wrote, "charged or supposed in a judge.

"The first, of bargain or contract for reward, to pervert justice.

"The second, where the judge conceives the cause to be at an end by the information of the party or otherwise, and useth not such diligence as he ought to inquire of it.

"And the third, when the cause is really ended, and it is *sine fraude*, without relation to any precedent promise.

"Now, if I may see the particulars of my charge, I should deal plainly with your Majesty, in whether of these causes my particular case falls. But for the first of

bientost avec asseurance de sa perte. Je l'ay apris de M. le Marquis de Bouquinguam, qui est son amy, et lequel m'a tesmoigné de recepvoir a deplaisir non pas sa ruyne, car il dit qu'il l'a bien meritée, mais son mauvais gouvernement, estant homme qui avoit de bonnes partyes, et mis de sa main en la charge qu'il possede, mais que pour luy il est si affectionné au service de son maitre et du bien de son pays, qu'il, abandonneroit son propre frere s'il avoit malversé. Quelqu'uns croyent que ceste sincerité n'est qu'en parolles, et qu'en effect il a fait son pouvoir pour le sauver, mais qu'il ne l'a peu, ce qui donne subject aux plusieurs autres considerations de continuer l'opinion que je vous ay mandée par quelques unes de mes depeches de la defaveur dudit M. de Boquinguam, laquelle est fondu sur des autres apparences, dont les unes sont entierement speculatives et par un rapport du present au passé, les autres plus apparentes, mais toutes incertaines." Tillieres to Puysieux, April 22 / May 2. *Bibl. Imp. MSS. Harl.* 223, 17, fol. 60.

them I take myself to be as innocent as any born upon St. Innocents' day in my heart. For the second, I doubt, in some particulars I may be faulty; and for the last, I conceived it to be no fault, but therein I desire to be better informed, that I may be twice penitent, once for the fact, and again for the error. For I had rather be a briber than a defender of bribes.

"I must likewise confess to your Majesty that, at new year's tides, and likewise at my first coming in, (which was, as it were, my wedding,) I did not so precisely, as perhaps I ought, examine whether those that presented me had causes before me, yea or no. And this is simply all that I can say for the present concerning my charge, until I may receive it more particularly."*

April 16. His interview with the King.

Accordingly on the 16th of April, the last day of the vacation, Bacon was admitted to an audience. How far he carried out the programme which he had laid down for himself we do not know, but there was one point upon which he was specially desirous of the King's assistance. Properly enough, he had not yet received a copy of the charges made against him: for till the witnesses had been examined, it was impossible to say how far their statements would be adopted by the House of Lords, and till the Lords had adopted them, there was no formal accusation in existence to which he could be called upon to answer.† Bacon, however, seems to have feared lest he should be judged in the dark. He therefore begged the King to request the Lords to grant him a fair trial, and to allow him an opportunity of making his defence. To this very reasonable demand, James at once acceded, so far as to direct the Lord Treasurer to inform the House of what had passed between them.‡

* *Bacon's Works*, ed. Montagu, xvi. Note G. G. G.

† There has been considerable misunderstanding on this point, arising probably from a careless supposition that Bacon had been impeached by the Commons. This was not the case. No accusation had as yet been brought against him. The examination of witnesses was merely a preliminary investigation for the purpose of giving information to the Lords. When they had made up their minds to act upon it, then, and not till then, Bacon would be put on his trial, and then he would have a right to a copy of the charges.

‡ *Lords' Journals*, iii. 75. A story told by Bushel, who was at this time in the Chancellor's service, has been frequently quoted in support of the theory that Bacon was sacrificed by the King. "There arose," he says,

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April 17. Re-assembly of the Houses.

April 18.

Accordingly, as soon as the Houses met on the following day, the Lords were informed by Mandeville of Bacon's request, and of the King's reply. Fresh witnesses were then sworn, and fresh names were added to the Committees.* On the 18th it was resolved, at Arundel's motion, that a report of the examinations should be brought in on the following day, to the end their Lordships might give the Lord Chancellor such particulars of his charge as their Lordships should judge fit. The next morning, as soon as the evidence taken by the committee over which Arundel presided, had been read, Buckingham

"such complaints against his Lordship and the then favourite at Court, that for some days put the King to this quære whether he should permit the favourite of his affection, or the oracle of his council to sink in his service; whereupon his Lordship was sent for by the King, who, after some discourse, gave him this positive advice, to submit himself to his House of Peers, and that, (upon his princely word,) he would then restore him again, if they (in their honours) should not be sensible of his merits. Now, though my lord saw his approaching ruin, and told his Majesty there was little hope of mercy in a multitude, when his enemies were to give fire, if he did not plead for himself. Yet such was his obedience to him from whom he had his being, that he resolved his Majesty's will should be his only law, and so took leave of him with these words, 'Those that strike at your Chancellor, it is much to be feared, will strike at your Crown,' and wished that, as he was the first, so he might be the last of sacrifices." Bushel, was no doubt, in some respects, a good authority. But his story was not given to the world till 1659, thirty-eight years after the events which he narrated. The most important point of his story is, to say the least of it, by no means consonant with Bacon's own language. "Your Majesty," wrote the Chancellor, only four days after the scene took place, "can bear me witness that at my last so comfortable access I did not so much as move your Majesty by your absolute power of pardon or otherwise, to take my cause into your own hands, or to interpose between the sentence of the House, and according to my desire your Majesty left it to the sentence of the House by my Lord Treasurer's report." Bacon to the King, May 2. *Works*, ed. Montagu, xiii. 30. Compare Chamberlain to Carleton, April 18. *S. P. Dom.* cxx. 97. The question, therefore, was not whether Bacon was to be allowed to plead, but whether he was to be judged by the House, and this was settled in the affirmative by Bacon's own advice. The message by the Lord Treasurer referred to was to ask that he might have a fair trial. It is impossible that Bacon should have spoken of this in such a way, if he had received an order not to plead. Nor is this part of the story less flatly contradicted by his letter of April 20th, in which he still expresses his intention of answering the charges against him. Still I do not altogether give Bushel's story up as a pure invention. I suspect that after the main question was settled, Bacon referred to the possibility that the Lords might condemn him from party spirit against clear evidence. To this James may well have answered, "If that be the case, I give you my princely word to restore you." And Bacon may have gone on to warn him against allowing faction to triumph, and may easily have said, "They who strike at your Chancellor, strike at your Crown."

* *Lords' Journals*, iii. 75.

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April 19. Buckingham's position with regard to Bacon.

rose. The attitude which he now assumed, after some vacillation, was that of an advocate who, without venturing to deny his client's guilt, watches the case with the intention of taking advantage of any point that may be raised in his favour. The evidence just read, he now pointed out, was altogether in the hand-writing of the persons who had been interrogated. There might, therefore, have been a conspiracy to insert statements which had never really been made. To this Arundel replied, that the answers had been written down in the presence of the committee, and that they tallied exactly with the spoken evidence. To this statement, confirmed as it was by other members of the committee, no answer was possible.* The remainder of the reports was read, and finally the three committees were amalgamated, in order to draw up a connected statement of the whole evidence. The Peers then adjourned to the 24th.†

Temper of the Lords.

The joint Committee thus constituted, consisted of sixteen peers and prelates. Their names may be at once accepted as a proof that the Lords, as a body, desired to approach the delicate inquiry before them in a spirit of impartiality. The only section of the House which was not represented upon it was that which was composed of the connexions of the Villiers family, and of the sycophants who basked in the favourite's smile. Arundel and Sheffield, and Neile were there, ready to resist any excesses of factious animosity against a faithful servant of the Crown, whilst the names of the pure-minded Andrewes, of the virtuous Morton, and of that Russell who, long afterwards, in times when few knew what moderation was, carried to the grave, as Earl of Bedford, amidst the regrets of all honest Englishmen, a well-earned reputation for singular moderation and discretion, were a sufficient guarantee that in the discussions which were impending, nothing would be left undone to secure the furtherance of equal justice without respect of persons.‡

April 20. Bacon writes

Of the general effect of the examinations read, some inkling seems to have been carried to Bacon. From a fresh

* Elsing's *Notes*, 9
† *Lords' Journals*, iii. 78, 179.
‡ *Lords' Journals*, iii. 74.

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April 20. again to the King.

letter which he addressed to the King on the 20th, it is evident that his hope of being able to resist the accusations against him was growing faint. He trusted, he said, that the Lords would be like his Majesty in imitating Him who had refused to break the broken reed, or to quench the smoking flax. "It is not possible," he concluded by saying, "nor it were not safe for me to answer particulars till I have my charge; which, when I shall receive, I shall, without fig-leaves or disguise, excuse what I can excuse, extenuate what I can extenuate, and ingenuously confess what I can neither clear nor extenuate. And if there be anything which I might conceive to be no offence, and yet is, I desire to be informed, that I may be twice penitent, once for my fault, and the second time for my error."*

He relinquishes his defence.

Scarcely was this letter written, when some friendly hand brought him a copy of the examinations which had been read in the House of Lords. The effect was instantaneous. All thought that he was struggling against a factious opposition was now at an end. He saw, as in a mirror, the hidden secrets of his life revealed. Actions which had long ago slipped out of his memory, and which, at the time, had seemed utterly unimportant, now stood out in strange distinctness before him. In his last letter, he had talked of excuse and extenuation. He now knew that he had done that for which there was no excuse, and for which extenuation would be of no avail.

Yet even in this hour of trial, conscious of the integrity of his motives, and knowing well that if there had been corruption in his actions, there had at least been none in his heart, he was unable to realise the effect which the revelation would produce upon others. He hoped that the Lords would be satisfied with his resignation of the great seal, and would spare him any further disgrace.

April 22. His submission to the Lords.

On the 22nd, therefore, he wrote to the House a letter, in which his mingled feelings were characteristically depicted. His words, he said, came "from wasted spirits and an oppressed mind." Yet, strange as it might seem, though in the midst of as great affliction as mortal man

* Bacon to the King, April 20. *Works*, ed. Montagu, xiii. 29.

could endure, honour being above life, he would begin with a profession of gladness; for he could not but rejoice that, for the future, the greatness of a judge would be no sanctuary or protection of guiltiness (and that was, in a word, the beginning of a golden world), and that magistrates would learn, by his example, to fly from the very semblance of corruption as from a serpent.

Even in his misery Bacon's first thoughts were for his country. He then turned to his own case. "But to pass," he wrote, "from the motions of my heart, whereof God is only judge, to the merits of my cause, whereof your lordships are judges under God and His Lieutenant, I do understand there hath been heretofore expected from me some justification, and therefore I have chosen one only justification, instead of all other, out of the justifications of Job. For, after the clear submission and confession which I shall now make unto your lordships, I hope I may say and justify with Job, in these words: —'I have not hid my sin as did Adam, nor concealed my thoughts in my bosom.' This is the only justification which I will use.

"It resteth therefore that, without fig-leaves, I do ingenuously confess and acknowledge that, having understood the particulars of the charge, not formally from the House, but enough to inform my conscience and memory, I find matter sufficient and full, both to move me to desert the defence, and to move your lordships to condemn and censure me."

It was useless, he went on to say, to trouble them by singling out particulars against which he might justly except, to raise scruples touching the credit of the witnesses, or to plead extenuating circumstances. He was about to resign his office, "and therefore," he ended by saying, "my humble suit to your lordships is that my penitent submission may be my sentence, and the loss of the seal my punishment; and that your lordships will spare any further sentence, but recommend me to his Majesty's grace and pardon for all that is past. God's Holy Spirit be amongst you."*

* Bacon to the Lords, April 22. *Lords' Journals*, iii. 84.

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April 24.

It does not satisfy the Lords.

Bacon had forgotten that it is not the business of a court of law to inquire into motives, and that the Lords would only stultify themselves if at this point they gave up the investigation without recording their sentence upon acts which he had himself admitted to be indefensible. It was in vain, therefore, that his letter was brought before them by a personage no less influential than the Prince of Wales. As soon as it had been read, there was silence for a long time throughout the House. Then Pembroke rose. It was a question, he said, whether the Lord Chancellor's submission was sufficient for them to ground a judgment upon without further inquiry. As soon as the House had gone into Committee to discuss the point thus raised, it became evident that the submission would not be accepted in the form in which it had been tendered. Certain definite accusations had been made, and the Lords wanted to know in so many words, whether they were true or not. The submission was therefore unanimously rejected.

In the course of the discussion a new question had been started by Spencer:—Was the Lord Chancellor to be summoned to the bar to answer to the charges in person? Buckingham once more interposed in Bacon's behalf. He hoped, he said, that they would make a charitable exposition of the case, and would "attribute this thing to the corruption of the time in respect of the quality of the person." The Chancellor had already acknowledged himself to be guilty in general, though not in particular. Let a message be sent to him, in order that he might have an opportunity of making a full acknowledgment of his fault, before they resorted to the extreme step of sending for him in person. Arundel and Pembroke followed in support of the same view. "Shall the Great Seal," said Pembroke, "come to the bar?" It was in vain that Say, then as ever, bitterly one-sided, urged that Bacon should be sent for; and that Suffolk, not unmindful of the day when the Lord Chancellor had sat in judgment upon himself, argued on the same side. Wallingford probably expressed the general opinion. His lordship's submission, he said, was too short, and it was unfit that he should presume to dictate his own punishment. Nor was it becoming that

he should throw the blame of his faults upon the age rather than upon himself. He had all due respect for the person of the accused man, but if a reformation was intended, the proceedings should be as public as possible. Yet, after all, how could the Chancellor come to the bar with the seals? The House felt on this point, at least, with Pembroke and Wallingford, and it was decided that Bacon should be applied to for a fuller answer.* A copy of the evidence against him was accordingly transmitted to him, together with the articles of accusation as they had proceeded from the committee.†

April 25.

The next day, after an unsuccessful attempt to re-open the question of summoning the Chancellor to the bar, messengers were sent to inquire into his intentions. "The Lord Chancellor," they reported, "will make no manner of defence to the charge, but meaneth to acknowledge corruption, and to make a particular confession to every point, and after that an humble submission." He desired them, however, to add an explanation on some particular points. Five days were accordingly allowed him to prepare his statement; and, in spite of Suffolk's renewed opposition, it was resolved that this statement should be made in writing.‡

April 30. Bacon's comments on the charges.

On the 30th of April, accordingly, the promised confession was handed in, with some insignificant exceptions.§ The examinations of the witnesses have unfortunately not been preserved, but by those who have learned by experience to place unreserved confidence in Bacon's truthfulness, his own declarations, together with the additional light which can be thrown upon them by the help of the records of the Court of Chancery, will be sufficient to give a tolerably clear idea of the nature of his delinquencies.

Faults of his servants.

In answer to one at least of the charges, he could offer no excuse. "He had given away," it was said, "to great exactions by his servants." He at once acknowledged that it was a great fault of neglect, that he looked no better to them.

* Elsing's *Notes*, 13

† *Lords' Journals*, iii. 85.

‡ Elsing's *Notes*, 18

§ These are amongst the *House of Lords' MSS.* and were published by me in the *Archæologia*, vol. xli.

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Payments after the close of the suit.

From the remaining twenty-seven* articles, ten may, for all practical purposes, be summarily excluded. They related to presents given after the closing of the various suits, and which were, therefore, according to the ideas of the day, to be regarded as legitimate payments.† Of the rest, five cases may also be dismissed as of no real importance. When Bacon accepted 500*l.* from Sir Rowland Egerton, it was in total ignorance that the old question would be again stirred by Edward Egerton's wilfulness. Smithwick's case has been already commented on. It concerned the Chancellor's servants rather than himself. Three more gifts had been received from rival companies which had submitted to his arbitration; but this was merely in accordance with the practice of the day, which held that an arbitrator ought to be rewarded for his trouble, without fixing any scale of payment.

Cases where the fault was merely formal.

Cases more or less objectionable.

Still twelve cases remain, all of them open to grave objection, some of them to the severest reprobation.

Sir J. Trevor.

From Sir John Trevor, Bacon had accepted 100*l.*, as a new year's gift, but had neglected to inquire whether his cause was ended or not. The truth was, that it had been dismissed to a trial at common-law, but that as the equity was reserved, it might again come before him judicially.

Lord Montague.

He had received 600*l.* or 700*l.* from Lord Montague after the decision had been given. But the decision was resisted by the other party, and the case came up again before him. He was obliged to acknowledge that he had received fair warning that this was likely to occur; for when the money was brought, the bearer told him, "that my lord would be further thankful if he could once get his quiet." All that Bacon was able to say in defence of his conduct was that he had paid no attention to the message.‡

Sir J. Kennedy.

From Sir John Kennedy he had received a rich cabinet, whilst a suit was depending. Bacon had seen it, and had ordered it to be carried back. When he afterwards heard

* I adopt Bacon's numbering in preference to that of the Lords.

† These were the gifts brought by Hody, Monk, Holman, Fisher, Scott, Lenthall, Wroth, Dunch, Ruswell, and Barker.

‡ The particulars of the case will be found in the *Order Books*, under the heading "Dominus St. John *v.* Englefield." In Trin. T. and Mich. T. 1617, there are two Masters' Reports headed "Viscount Montague *v.* Englefield."

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that it was still in the house, he was offended at the neglect of his orders. But he had not insisted on obedience, and the cabinet was still only ready to be returned to whom their lordships should appoint.

Aubrey, E. Egerton, and Lady Wharton.

Of the cases of Aubrey, of Edward Egerton, and of Lady Wharton, enough has been said already.

Hansby.

In one respect Hansby's case resembles that of Lady Wharton. There is the clearest possible evidence that Bacon did that which was utterly indefensible. But there is also the clearest possible evidence that the money which he improperly received did not, in the slightest degree, affect his judgment.

On the 17th of July, 1617, Bacon had decided in favour of Ralph Hansby, a question respecting the validity of a deed by which he derived a large estate from his uncle. There still, however, remained a further question as to the property, upon which certain legacies were chargeable. The point was referred by Bacon to some of the Masters in Chancery, upon whose report he would have to deliver his final judgment. Under these circumstances he accepted a present of 500*l.* from Hansby, in whose favour the suit about the legacies was finally decided. In itself, this last judgment was, no doubt, open to grave suspicion. But fortunately for his credit, Bacon gave the reasons upon which it was based. The question turned upon the intention of the old man at the time when he was signing the deed in favour of his nephew, and it so happened that not only the lawyers who had drawn it up were unanimously in favour of Hansby's interpretation of the clauses, but that evidence was given to the effect that his uncle, before he signed the deed, had entered into an explanation in which he spoke of other property on which he intended that the legacies should be charged, and by which, therefore, his intention to exonerate his nephew was placed beyond a doubt. Once more then, in a case in which the presumptions against Bacon are undoubtedly strong, the evidence in favour of his integrity is overwhelming.*

Reynell.

The next case, if it had stood alone, was sufficient to procure Bacon's condemnation. In 1614, Ellesmere had

* Orders. Hansby *v.* Hansby. *Order Book*, 1616 A, fol. 1257, 1617 A, fol. 661, 965, 1051, 1228.

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decided in favour of Peacock in a suit against Sir George Reynell.* Difficulties arose in carrying out the judgment, and interrogatories were administered to various persons, with the view of ascertaining the facts of the case with greater accuracy. Before sufficient time had elapsed for raising the question again in Court, the great seal was transferred to Bacon, and Reynell, who was connected with him by marriage, brought him 200*l.* to buy furniture for York House, of which he was then about to take possession. It was not till the succeeding winter that Reynell made application for a re-hearing,† and it was either on the following or on some subsequent New Year's Day, that he brought to the Chancellor a diamond ring, which was, as Bacon admitted, of too great a value for a New Year's gift. What was still worse, before the suit was ended, Bacon borrowed from

Peacock.

Peacock 1000*l.*, and submitted to receive an assurance that no interest or written acknowledgment of the debt would be required.

Vanlore.

The case of Vanlore was similar to that of Peacock. It was proved that Bacon had borrowed from him 2000*l.* at a time when he was a suitor in the Court.

Compton.

Compton's case is more peculiar. Bacon had asked him to lend him 500*l.*, and had met with a refusal, on the ground that the Chancellor had interfered with his attempt to proceed to extremities against a debtor, and that he now owed 400*l.* to a certain Huxley. Upon this Bacon wrote to Huxley, begging him to refrain from pressing his claim for six months; and Compton accordingly retracted his refusal, and sent the loan which had been demanded. By and by, however, Huxley repented of his concession, and proceeded against Compton at Common Law. Compton appealed to Chancery, alleging that he was merely a surety, and that Huxley ought first to have applied to those from whom he had actually received the money. Sir Charles Rich, one of the Masters of the Court, reported that Compton's story was a mere tissue of falsehoods, and Bacon ordered him to pay the

* Order. Peacock *v.* Reynell, June 27, 1614. *Order Book*, 1614 A, fol. 1308.

† Order. Reynell *v.* Peacock, Dec. 20, 1617. *Order Book*, 1617 A, fol. 389.

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debt with costs. Unseemly as the Chancellor's position was towards the plaintiff, it cannot be affirmed that there was any denial of justice here.

The French merchants.

The last case to be mentioned was an affair of a very different kind. The Company of French Merchants had complained to Bacon, that the London Vintners had entered into a combination not to buy wine at reasonable prices, and offered him 1000*l.* as a reward for the services which they expected him to render. Bacon at once drew up a tariff by which he considered that the vintners would make a profit of 6*l.* a tun. His scheme was, however, rejected by the vintners, and the merchants appealed to the King. James, on the ground that his customs would be injuriously affected by the cessation of trade, commissioned Bacon to settle the dispute. Thus authorised, he dealt with the vintners, as he himself acknowledged, "more stiffly and peremptorily." He imprisoned "for a day or two some that were the most stiff." Unable to resist such arguments as these, the vintners withdrew their opposition, though they complained bitterly that they had been forced "to buy wines whereof they had no need nor use," at higher rates than they were vendible. The merchants, on the other hand, presented the Chancellor with the 1000*l.* which they had promised him, assuring him that "he had kept them from a kind of ruin;" and maintaining that "the vintners, if they were not insatiably minded, had a very competent gain." No candid person who reads Bacon's account of the matter, can doubt that he acted precisely as, with his notions on trade, he would have been likely to act if he had never been offered a penny for his trouble. But no candid person can deny that in listening to the offer of payment before the service was rendered, he did precisely what in the most corrupt times would have been done by the most corrupt of ministers.

The bearing of the evidence upon the question of character.

In every one of these cases, additional inquiry tells the same tale. The volumes of the Order Books may be searched through, but they will never reveal an excuse for Bacon's actions. But wherever they throw any light upon his motives, that light is invariably favourable. He takes Lady Wharton's purse, but he does nothing

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but repeat a sentence delivered months before. He accepts a sum of money from Hansby, but he decides on evidence so conclusive that no other course is open to him. May it not fairly be supposed that the result thus gained would hold good in other instances, and that the misdeeds of the great Chancellor were attributable to contempt of forms, to the carelessness of haste, and to an overweening confidence in his own integrity? His own language during the progress of the investigation is in every respect honourable to his character. Believing at first that no case can be established against him, his only demand is for a fair and open trial. As day by day brings fresh presumption against him, he reiterates his demand, adding the assurance that no prevarication on his part shall stand in the way of justice. When the blow falls, it is a crushing one. He sees the truth, and he makes no attempt to blind the eyes of his judges. He never admits that his intentions had been corrupt, nor does he ever affirm that his actions had been innocent. "I do again confess,"—such are the words with which his long answer closes, "that in the points charged upon me, although they should be taken as myself have declared them, there is a great deal of corruption and neglect, for which I am heartily and penitently sorry." *

His expression of penitence.

As soon as this submission was read in the House, a committee was appointed to visit him, in order to learn whether his signature was genuine. "My lords," was his reply, "it is my act, my hand, my heart. I beseech your lordships, be merciful unto a broken reed."

It was in the midst of racking pain, physical and mental, that this cry of agony was wrung from him. He believed that he was dying. He knew that few amongst his countrymen would from henceforth regard him otherwise than as corrupt in heart and feeling. Nor was this all. A man who is in act innocent, may look forward to the day when it will be proved that he never committed the crime of which he is accused. No such proof could ever come for Bacon. To admit his innocence men must read his heart, and must learn to look upon

* Bacon's confession. *Lords' Journals*, iii. 98.

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the world with his eyes. "For my name and memory," he declared in his last will, "I leave it to men's charitable speeches, to foreign nations, and to the next ages." But he must have known that the next ages would have a difficult task. They would have to show, what of all things is the hardest to prove, that his heart was pure whilst his actions were guilty.*

May 1. The Great Seal taken from him.

With such inquiries the House of Lords had no concern. They were called upon—not to solve a psychological problem, but to punish corrupt actions, in order that they might not be imitated for the future. Their first step was to ask the King to take away the Great Seal from the man in whose custody it had been surrounded with an atmosphere of venality. James at once assented. "He would have done it," he said, "if he had not been moved therein." The next day, Mandeville, Pembroke, Lennox, and Arundel, were sent to the sick man to require the surrender of the Seal. They found him "very sick." "We wish," said one of them, "that it had been better with you." In his weariness of life, Bacon replied, "The worse, the better." Then, after a little, he added, "By the King's great favour I received the Great Seal; by my own great fault I have lost it." After this melancholy scene the messengers departed, carrying with them the symbol of the King's authority, which they had been directed to retain in their own

* The following verses are valuable as giving an idea of the mode in which Bacon's case was regarded by a not unfavourable looker on:—

"Vicecomes Sanctus Albanus Cancellarius Anglicanus
Miris dotibus imbutus, ingeniosus et acutus,
Linguâ nemini secundus (ah! si esset manu mundus)
Eloquens et literatus repetundarum accusatus
Accusatus haud convictus (utinam haud rithmus fictus)
Tanquam passer plumbo ictus est ægrotus, aut sic dictus,
Morte precor moriatur reus antequam damnatur,
Morte dico naturali; (munus, non est pœna tali),
Ab amico accusatus; miser tu, at es ingratus.
Actæon tu propriis manibus, præda facta tuis canibus
Pereant canes hi latrantes te famamque vulnerantes.
Tua sors est deploranda, quid si culpa perdonata,
Fama est per orbem flata quod sigilla sunt sublata.
Mali semel accusatus, etsi pœnâ liberatus,
Manet malum et reatus, absit hic sit tuus status.
Vive tu, si vitam cupis, vita cara ursis, lupis,
Et si quid fecisti malè, redime et benè vale."

S. P. Dom. cxx. 39.

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May 2. Bacon made one more effort to induce James to spare him from further disgrace, by bringing his influence to bear upon the Peers. Was it not enough, he asked, that the Seal had been taken away? "But," he concluded, in words which showed that his old buoyancy of spirit was still uncrushed, "because he that hath taken bribes is apt to give bribes, I will go farther, and present your Majesty with a bribe. For, if your Majesty give me peace and leisure, and God give me life, I will present you with a good history of England, and a better digest of your laws."‡

To this request James wisely turned a deaf ear. Even if he had wished, it would have been a hopeless task to persuade the Lords to leave the faults which had been dragged to light without the brand of a sentence. Bacon was not long in learning that he had pleaded in vain. At Southampton's motion, the officers of the House had been sent to summon him to the bar. The Great Seal, which had hitherto protected him, was no longer his. But he was still able to appeal to the weakness of his physical frame. He was in bed when the officers arrived. He told them that they asked for an impossibility. He was not making excuses. If he had been well, he would willingly have come.

May 3. The sentence debated. The reply thus framed was accepted without difficulty on the following morning. The question was then put whether the late Lord Chancellor was guilty of the matters with which he was charged, and it was agreed to without a dissentient voice. The House then went into Committee to discuss the penalty to be inflicted upon him. That it should consist of fine and imprisonment was accepted without difficulty. Lord Sheffield moved, amidst signs of approbation, that he should be incapable for the future of holding any office of judicature, or of a

* Elsing's *Notes*.
† *Lords' Journals*, iii. 103—104.
‡ Bacon to the King, May 2. *Works*, ed. Montagu, xiii. 30.

seat at the Privy Council. To this, Say, ever rancorous in his indignation against guilt, proposed that degradation from the peerage should be added. Against this extremity, Arundel and Pembroke protested. It soon appeared that Say's proposal would be made a question between the supporters of the Court and the Opposition. It was adopted by Spencer and Southampton, the latter of whom took credit to himself in not recommending the addition of banishment, of which he declared the late Chancellor to be worthy; whilst Lennox, Mandeville, Hamilton, and the Prince himself, spoke in Bacon's favour. At last a compromise was suggested by Hamilton. Let him be spared from personal degradation; but let him lose his right of sitting in the House, or of coming to Court. After this, Arundel, who had earlier in the debate acknowledged the foulness of the offence, yet nevertheless again deprecated the idea of expulsion from the peerage. It was not usual, he said, to degrade a peer excepting by Act of Parliament. Bishop Neile added a more peculiar reason. It would be well, he said, to leave him his title that he might remember from whence he had fallen. To these arguments no reply was made; but Southampton, fearing perhaps lest Bacon might escape altogether, rose again. "Is it well," he said, "that he whom this House thinks unfit to be a constable, shall come to the Parliament?" After this the exclusion from Parliament was voted without a dissentient voice. As soon as it was carried, Buckingham, apparently with the intention of averting any further addition to the sentence, observed that Bacon was so sick that he could not live long.

The House then resumed, and the sentence was formally put into shape. The late Chancellor was to pay a fine of 40,000*l.*, to be imprisoned in the Tower during the King's pleasure, to be incapable of any place or employment in the State or Commonwealth, and to be disabled from sitting in Parliament, or from coming within twelve miles of the Court. An attempt made by Suffolk's son, Lord Howard de Walden, to gratify the animosities of his family, by the suspension during life of Bacon's titles of nobility, was repulsed by the good sense

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of the House. Such a sentence would have been more than a penalty for a crime; it would have been a personal disgrace inflicted upon the offender. The Prince and Buckingham came to his aid, and it is said that the Bishops voted as one man on the side of lenity. Their efforts were successful, and the proposition was rejected by a majority. The remainder of the proposed sentence was then put to the vote, and was carried with a single dissentient voice—the voice of Buckingham, who had found little to say in extenuation of such faults as those with which Bacon had been charged, but had made it a point of honour not to abandon his constant supporter in extremity.*

The sentence delivered.

The Commons were then summoned to the bar, and the judgment resolved upon was pronounced. It was a heavy sentence, but not more heavy than the circumstances of the case demanded. It was well that the House of Lords should declare its opinion that the late Lord Chancellor could no longer be employed with advantage in the service of the State. The fine and imprisonment were, as every one knew, worse in appearance than in reality. Such penalties were in those days little more than a strong expression of opinion: if the condemned person sought for a remission of his sentence from the King in sufficiently humble terms, the remission was almost certain to be accorded; and no one could doubt that Bacon was likely to be humble, and that James was likely to be forgiving.

When the history of the debate was told to Bacon, he remarked "that he was only bound to thank his clergy." Some weeks later, looking back upon the past in a more serious mood, he said that though he was bound to acknowledge "the sentence just, and for reformation's sake fit," yet he had been the justest Chancellor since his father's death. The judgment thus recorded by himself may be accepted by history as final.

Bacon's fall.

Thus fell Francis Bacon, Viscount St. Alban, from the highest eminence to which a subject could climb. Neither of the great English parties which were so soon to spring into existence could claim him as their own;

* Elsing's *Notes*.

and as long as the influence of those parties continued to lay its spell upon history, his memory was left without a champion. His name was used by satirists, who knew nothing of his life, to point the common-place moral that intellect dissociated from virtue must fail to command success. In our own days, the most brilliant of historians, exasperated by the absurdities of a weak and ignorant panegyrist, took the case against Bacon under his patronage, and in language which will be read as long as the English tongue endures, painted the great statesman and the great philosopher in colours as odious as they are untrue to nature, because his thoughts and principles did not square with the system of a Whig politician of the nineteenth century.* After this, it is hardly to be wondered at that a great German chemist should have boldly declared him to be a charlatan and an impostor, because he was neither a Kepler nor a Faraday. It is time that Bacon should be known as he really was. He was not the faultless monster which it has pleased some of his too enthusiastic worshippers to represent him. But far less was he that strange congeries of discordant qualities which were never found united in any human being. He was not one man as a thinker, and another man as a politician. In every part of his career he was indefatigable in his pursuit of truth and justice. His faults as a philosopher, as a statesman, and as a judge, arose alike from the same source. "I have taken all knowledge for my province," he once exclaimed in the enthusiasm of youth. He laid himself open to the criticism of chemists and astronomers, because he believed that the whole intellectual world was at his feet, and that a single generation would

* It will be seen that I have little sympathy with Lord Macaulay's view of Bacon's character. But there are wonderful flashes of common sense in his essay. For instance, when have the writers who believe in Bacon's faultlessness, answered such an argument as this?—"It seems strange that Mr. Montagu should not perceive, that while attempting to vindicate Bacon's reputation, he is really casting on it the foulest of all aspersions. He imputes to his idol a degree of meanness and depravity more loathsome than judicial corruption itself. A corrupt judge may have many good qualities. But a man who, to please a powerful patron, solemnly declares himself guilty of corruption when he knows himself to be innocent, must be a monster of servility and impudence."

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suffice to classify and arrange the infinite phenomena of nature. He laid himself open to the criticism of statesmen and lawyers, because, in his reverence for the powers of intellect, he despised the checks upon the exercise of sovereign power which in a free constitution are necessarily placed in the hands of common-place and ill-educated men. He laid himself open to the criticism of the moralist, by fancying that integrity of heart might be left to its own guidance; and that a vivid intelligence and a direct honesty of purpose might safely dispense with the forms which are needed for the guidance of smaller men, and might even, on occasion, overstep the line at which courtesy passes into insincerity. Yet, in the end, the wisest and greatest of his generation had to learn that he too was fallible, and that even for him forms were necessary.

His failure as a statesman.

The tragedy of Bacon's final catastrophe has branded itself upon the memory of succeeding generations. Yet his failure as a judge is not to be compared, in real interest, with his failure as a statesman. The one is attractive as a psychological problem, the other contains a lesson to which it is well to give ear at all times and in all seasons. His ideal of government was the same as that upon which, in our own day, the institutions of Imperial France have been modelled, so far as the differences of two such distant stages of civilisation would permit. In the speculative ideal which he set forth to the world in the New Atlantis, he proposed that different classes of labourers in the cause of science should be distributed each to its appointed task, not one of which was to share in the duties of the other. The collector of facts was not to conduct experiments. The conductor of experiments was not to pronounce upon their value, whilst it was to be the duty of a body of men standing apart from the vulgar contamination of the laboratory and the observatory, to make use of the results by raising the scattered truths to the dignity of a higher science. In the same spirit he would have assigned to all men their position in the State. The country gentlemen might administer a rude justice in their respective districts. The judges might decide moot points of law

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bearing upon the rights of property. Parliaments might vote subsidies, might, subject to the veto of the Crown, assent to laws for the benefit of the commonwealth, and might give useful information of the state of public feeling, or of the existence of popular grievances. But, knowing as he did, that the highest work of legislation and government calls forth the highest faculties of man, he did not venture to confide the chief interests of the nation to common hands. In the Sovereign who had recognized his own merit, he saw, or fancied that he saw, a patriotic King, who would control the hard technicalities of the judges by his Court of Chancery; who would supply the weakness of criminal justice by his Court of Star-Chamber; and would regulate, by means of his Privy Council, questions of high policy with which Parliament was unfit to be trusted. How it ended we all know. On the great questions on which his advice would have been truly valuable, on the reform of the law, on the Spanish alliance, on the war in Germany, he was probably never seriously consulted during the four years of his tenure of the Great Seal; and his opinion, whenever, at long intervals, he ventured to tender it, was certainly never adopted. Yet it is not to the incapacity of James, or the arrogance of Buckingham, that we must look for the heaviest condemnation of Bacon's system. If ever a man was fitted, by nature and study, to be the leader of a nation, it was he: and yet this man, great as he was, failed ignominiously no less in that which he did, than in that which he was compelled to leave undone. Narrow as, in many respects, the commercial policy of the House of Commons was, it was not so narrow as Bacon's. It saw by instinct what Bacon could not see,—the intolerable abuses to which the powers which he claimed for the Crown must necessarily give rise. In condemning Bacon it condemned, in a rude and accidental fashion, the theory of government which draws a distinct line of separation between the executive and the representatives of the people, and which affords no scope for that mutual play of special knowledge and of popular instinct which may sometimes check the speed at which an enlightened government

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would fain advance, but which has saved us from incalculable blunders on either side, and which, above all, has made our slow progress more certain than that of other nations, because it has ensured that the amelioration of the laws shall go hand in hand with the growth of the national conscience.

His monarchical theories.

Yet, whatever we may think of Bacon's political ideas, it is grossly unfair to him to confuse his devotion to monarchy with the narrowminded partisanship of the Cavaliers of the Restoration, or with the no less narrowminded theories of the non-jurors of a later age. In his eyes the cause of monarchy was the cause of intellect in the eternal battle against ignorance, pedantry and routine. He believed that, on the whole, the King would choose wiser servants than a body so inexperienced as the House of Commons was likely to do. He feared the encroachments of the popular party for the same reasons as those which, in later times, have led a Canning and a Lowe to throw their weight into the scale in opposition to the advocates of popular reform. And then, as now, the victory was to be won, not by mere declamation on constitutional privileges, or on the rights of the people, but by the spread of political knowledge, and of that moral self-restraint which, in every noble people, is the surest result of increased responsibility. Bacon failed, because he placed confidence in James and Buckingham, in Michell and Mompesson, in Lady Wharton and in Edward Egerton. Eliot and Pym, Hampden and Cromwell, were to take the lead of the next generation, because they placed confidence in the people of England.

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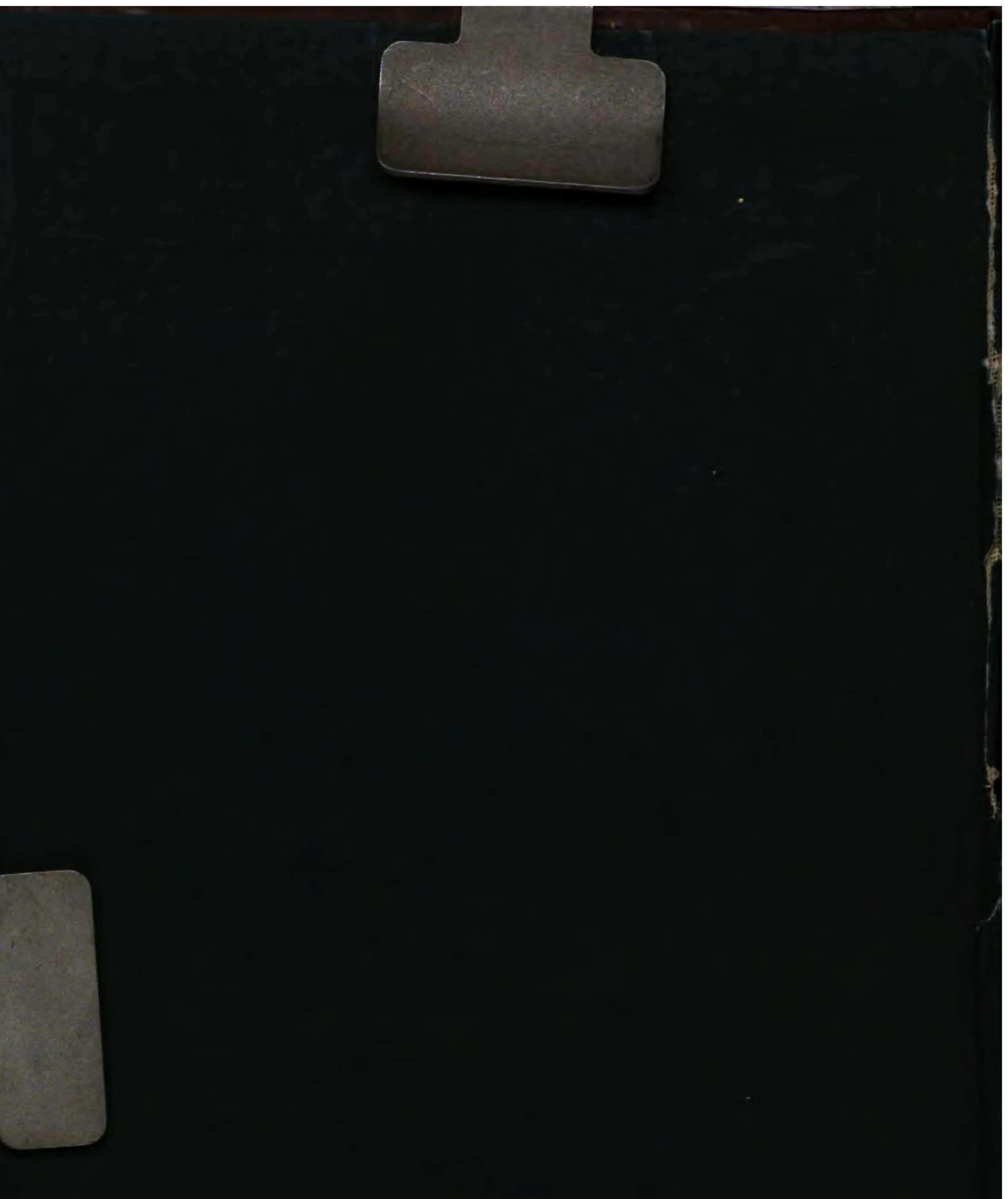

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